

TABLE OF CONTENTS

Chapter	Contents	Rules
I	Extent of Application	1.1
II	Definitions	2.1
III	Conditions regarding health and age :-	
	(i) Medical certificate of Fitness on First Entry into Government service	3.1
	(ii) Age of entry into Government Service	3.6
	(iii) Vaccination and re-vaccination	3.9

	Whole time of a Government employee at the disposal of Government	3.10
	Substantive appointment and lien	3.12
	Subscription of Provident Funds	3.18
	Date of reckoning pay and allowances	3.19
	Charge of Office	3.22
	Continuous absence from duty	3.25
	Retirement	3.26
IV	Pay	
	General	4.1
	Fixation of initial pay	4.4
	Fixation of initial pay under the Revised Pay Structure	4.4A
	Increments	4.7
	Assured Career Progression Scheme	4.8
	Transfer from a higher to lower grade or from a higher stage to a lower stage	4.11

	Pay of officiating Government Employees	4.13
	Personal Pay	4.18
	Pay of temporary posts	4.20
	Combination of appointments	4.22
V	Additions to pay	
	I- Compensatory Allowances	
	General	5.1
	Compensatory allowances, other than a house rent allowance	5.3
	House-rent allowance	5.5
Chapter	Contents	Rules
	Conveyance allowance	5.6
	Other compensatory allowances	5.8
	Compensatory allowance during joining time	5.9
	II-Rent of Government residences	
	General	5.13
	Capital cost of buildings and assessment of rents	
	(i) Capital cost of a Residence	5.15

	(ii) Standard rent	5.23
	Conditions of tenancy and rent payable by Government employees	5.29
	Rent-free accommodation and waiving or reducing the amount of rent	5.35
	Rent for Special Services	5.44
	Classification of residences	5.45
	General rules and instruction regarding allotment of residence	5.46
	III – Compensations	Omitted
	IV – Honoraria and Fees	
	Honoraria	5.55
	Fees	5.57
VI	Deputation out of India	6.1
VII	Dismissal, removal and Suspension	
	Cessation of pay and allowances on removal or dismissal	7.1
	Allowances during period of suspension	7.2
	Allowance on reinstatement	7.3, 7.3-A and 7.3-B.

	Leave to a Government employee under Suspension	7.4
	Forfeiture of service on resignation	7.5
VIII	Leave	
	Section I – General conditions and extent of application	
	I –Service counting for leave	8.1
	II –Application for and grant of leave	
	(1) General	8.3
	(2) Application for leave –	
	(a) To whom to be submitted	8.4
	(b) Procedure in case of leave on medical certificate	
	Instructions for Medical Officers	8.6
Chapter	Contents	Rules
	Medical certificate for Government employees	8.13
	(3) Grant of leave	
	(a) General	8.15
	(b) Leave beyond the date of retirement and encashment of leave	8.21
	(c) Encashment of earned leave alongwith leave travel concession while in service	8.22

(4) Authorities competent to grant leave	8.23
III – Commencement and expiry of leave and combination of holidays with leave	
(1) Commencement and expiry of leave	8.25
(2) Combination of holidays with leave	8.26
IV – Departure on leave	8.34
V – Acceptance of employment during leave	8.41
VI – Recall from leave	8.42
VII –Return from leave	
(1) Before expiry of leave	8.43
(2) Return from leave on medical certificate	8.44
(3) Report of return from leave	8.45
VIII –Overstayal of leave	8.47
IX – Leave salary	
(1) General	8.48
(2) Payment of leave salary	8.49
X – Leave Accounts	8.50
XI – Extent and application	
(1) Application of Revised Leave Rules	8.52
(2) Periods of off-duty which are not treated as Regular Leave	

	(a) Vacation	8.59
	(b) Causal and quarantine leave	8.60
	Section-III Revised Leave Rules	
	Definitions	8.113
	General Rules and Conditions	8.114
	Part-A. Leave to Government employees in Permanent employ	
	General Provisions –	
	(i) Earned Leave	8.116
	(ii) Half Pay Leave, Commuted leave and 'Leave not due'	8.119
	(iii) Extraordinary Leave	8.121
	Leave Salary	8.122
Chapter	Contents	Rules
	Additional kind of leave in special circumstances	
	(i) Special Disability Leave	8.124
	(ii) Study Leave	8.126
	(iii) Maternity Leave and Hospital Leave	8.127
	(iv) Paternity Leave	8.128
	(v) Adoption Leave	8.128-A
	(vi) Child Care Leave	8.128-B

Leave to Government employees on Deputation out of India	8.130
Part-B. Leave to probationers and apprentices	
Leave to Probationers	8.131
Leave to Apprentices	8.132
Part-C. Leave earned by temporary and officiating service, service which is not continuous and part-time service or service remunerated wholly or Partially by the payment of honoraria or daily wages	
Leave to Government employees not in permanent employ	
(i) Earned leave, half pay leave, commuted leave and 'Leave not due'	8.133
(ii) Extraordinary leave	8.137
(iii) Maternity Leave	8.137-A
(iv) Special Disability Leave	8.137-C
(v) Hospital leave	8.138
(vi) Terminal leave	8.138-A
(vii) Leave beyond the date of retirement and encashment of leave	8.139
(viii) Leave salary	8.140
Leave admissible to part-time Government employees and	

	Government employees whose service is not continuous	
	Law Officers	
	(i) Assistant Legal Remembrances	8.141
	(ii) District Attorneys and Government Pleaders	8.142
	(iii) Editor and Reporters of the Indian Law Reports	8.143
	Departmental Sub-Registrar	8.144
	Leave admissible to Government employees remunerated wholly or partially by the payment of honoraria or daily wages	8.145
	Leave rules applicable to permanent salaried industrial employees in the Punjab Government, Group 'C' and Group 'D'	8.148
Chapter	Contents	Rules
	Leave rules applicable to officiating temporary industrial Employees of Punjab Government Press, Group 'C' and Group 'D'	8.149
IX	Joining time	
	Conditions under which admissible	9.1
	Calculation of joining time	9.5

	Pay during joining time	9.15
	Overstayal and extension of Joining time	9.18
	Joining time to persons not in Government service on joining the Government service and on reversion from it.	9.20
X	Foreign Service and Deputation in India	
	General conditions for Foreign Service	10.2
	Pay and joining time	10.4
	Pension and leave salary	10.6
	Rate of contribution payable on account of pension and leave salary	10.8
	Time limit for payment of contributions	10.9
	Interest on overdue contributions	10.10
	Remission of interest	10.11
	Leave while on Foreign Service	10.13
	Reversion from Foreign Service	10.18
	Recoveries in the cases of additions to regular Establishment	10.20
	General conditions of deputation and deputation allowance	10.21
	Pay on deputation to Universities, Corporations, Local	10.22

	Bodies and other Corporate Bodies	
	How to treat deputation allowance	10.23
	Restriction on grant of extraordinary concessions	10.24
	Period of deputation	10.25
	Travelling Allowance and daily allowance during deputation	10.26
	House Rent Allowance during Deputation	10.27
	Conditions to be observed while sanctioning the cases of Deputation or Foreign Service	10.28
XI	Service under Local Funds	11.1
XII	Record of Service	
	Maintenance of Service Record/Service Books of Government employees	12.1-12.5
Chapter	Contents	Rules
XIII	Passages	Omitted.
XIV	Classification of Services (including method of recruitment and appointment thereto and number and character of posts), Conduct and Discipline and Punishment and Appeals	
	Section I –Classification of Services	

	(a) General	14.1
	(b) State Services Group 'A' and Group 'B', and Specialist Services	14.5
	(c) Other Services	14.7
	Section II :- Conduct and Discipline	14.8
	Section III:- Punishment and Appeals	14.9
XV	Authorities which exercise the powers of competent authority under the various rules	15.1

THE PUNJAB CIVIL SERVICES RULES

VOLUME I PART I

CHAPTER I

EXTENT OF APPLICATION

1.1. These rules, which have been issued by the Governor of Punjab, under proviso to Article 309 of the Constitution of India (see Appendix 1), may be called the Punjab Civil Services Rules. They shall come into force from the 1st April, 1953.

1.2. (1) Except as otherwise provided in rule 1.4 infra or in any other rule or rules these rules shall apply to all Government employees belonging to the categories mentioned below, who are under the administrative control of the Punjab Government and whose pay is debitable to the Consolidated Fund of the State of Punjab:

- (1) Members of State Services, Group 'A' and Group 'B';
- (2) Members of State Services, Group 'C';
- (3) Members of State Services, Group 'D';
- (4) Holders of Special Posts; and
- (5) any other Government employee or class of Government employees to whom the competent authority may, by general or special order, make them applicable:

Provided that the rules in Part I-Pensions and the Punjab General Provident Fund Rules contained in Volume-II of these rules called the Punjab Civil Services Rules, Volume-II shall not apply to the Government employees who are appointed to the posts mentioned in categories (1) to (5) above on or after the 1st January, 2004. They shall be covered by new 'Defined Contributory Pension Scheme' to be notified by the State Government.

Note 1.—Unless stated to the contrary in any rule or rules or the contrary is apparent from the context, the term “Government employee” includes also a temporary or an officiating Government employee.

Note 2.—The Speaker of the Legislative Assembly has agreed under Article 187 (3) of the Constitution that until a law is made by the Legislature of the State under Article 187 (3) of the Constitution or rules are framed by the Governor in consultation with the Speaker of the Legislative Assembly under clause (3) of Article 187 of Constitution of India, these rules and amendments thereto, if any (after prior consent of the Speaker), shall apply to the Secretariat staff of the Punjab Legislative Assembly.

Note 3.—The Chief Justice of the Punjab High Court has agreed to the application of these rules as amended from time to time in case of officers and employees of the Punjab High Court.

Note 4.—The Chairman, Punjab Public Service Commission has agreed to the application of these rules as amended from time to time, in the case of officers and employees of the Punjab Public Service Commission.

(2) Government employees to whom these rules apply shall continue to be governed by these rules while on temporary transfer to another state Government or Central Government or while on foreign service within India, unless it be otherwise provided in these rules. In the case of Government employees on foreign service outside India (including service with United Nations Agencies within or outside India) or on temporary transfer to the Armed forces of the Union, these rules shall apply only to the extent provided in the terms and conditions of foreign service or temporary transfer, as the case may be.

1.3. When in the opinion of the competent authority, special provisions inconsistent with these rules are required with reference to any particular post or any conditions of service, that authority may, notwithstanding anything otherwise contained in these rules, and subject to the provisions of clause (2) of Article 310 of the Constitution of India (see Appendix 1), provide agreement with the person appointed to such post for any matters in respect of which in the opinion of that authority special provisions are required to be made: Provided that in every

agreement so made it shall be provided that in respect of any matter for which no provision has been made in the agreement, provisions of these rules shall apply.

1.4. These rules shall not apply to –

- (i) any Government employee between whom and the Government, a specific contract or agreement subsists in respect of any matter dealt with herein to the extent upto which specific provision is made in the contract or agreement (see rule 1.3 above);
- (ii) any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force; and
- (iii) any Government employee or class of Government employees to whom the competent authority may, by general or special order, direct that they shall not apply in whole or in part. One of such classes of Government employees is that employed only occasionally or which is subject to discharge at one month's notice or less. A list of such Government employees is given in Appendix 2.

Note.—Model form of agreement for use in the case of Government employees engaged on contract is given in Form Pb. C.S.R. No.1.

1.5. If any doubt arises as to whether these rules apply to any person or not, the decision shall lie with the competent authority.

1.6. Nothing in these rules shall operate to deprive any person of any right or, privilege to which he is entitled by or under any law or by the terms of his agreement.

1.7. Unless otherwise provided in any rule or rules, a Government employee's claim to pay and allowances shall be regulated by the rules in force at the time in respect of which the pay and allowances are earned, to traveling allowance by the rules in force at the time the journeys in respect of which they are made are undertaken, to leave by the rules applicable to him at the time the leave is applied for and granted; and to pension by the rules in force applicable to him at the time when the Government employee retires or is discharged from the service of Government. See also rule 1.1 (b) of Volume II of these rules.

1.8. The power of interpreting, changing and relaxing these rules is vested in the Department of Finance.

Note 1.—Communications regarding the interpretation and alteration of these rules should be addressed to the Department of Finance through the Administrative Department concerned.

Note 2.—Where the Department of Finance is satisfied that the operation of any of these rules regulating the conditions of service of State Government employees or any class of such Government employees, causes undue hardship in any particular case, it may by order dispense with or relax the requirements of that rule to such extent and subject to such

conditions as it may consider necessary for dealing with the case in a just and equitable manner.

The expression 'State Government employees' means all persons whose conditions of service may be regulated by rules made by the Governor of Punjab under the proviso to Article 309 of the Constitution.

CHAPTER II

DEFINITIONS

2.1. Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in these rules in the sense here explained.

2.2. Accountant-General means the head of the office of audit and accounts subordinate to the Comptroller and Auditor General of India, who keeps the accounts of the Punjab State and exercises audit functions in relation to those accounts on behalf of the Comptroller and Auditor-General of India.

Note.—This definition covers also the term “Audit Officer”.

2.3. Active service for the purpose of pension, includes besides time spent on duty in India:—

(i) Leave of all kinds except extraordinary leave other than that extraordinary leave counted towards increment under rule 4.9(b).

(ii) Omitted.

(iii) The period of absence from India of a Government employee deputed or detained out of India on duty.

Note.—Disability leave under rule 8.124 is included in “Active Service.”

2.4. Actual Traveling expenses means the actual cost of transporting a Government employee with his domestic servants and personal luggage, including charges for ferry and other tolls, if paid, and for carriage of camp equipment, if such is necessary. It does not include charges for hotels or travellers' bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional domestic servants and the like.

2.5. Age.—The day on which a Government employee retires or is retired or is discharged or is allowed to resign from service as the case may be, shall be treated as his last working day. The date of death shall also be treated as working day:

Provided that in the case of a Government employee who is retired prematurely or who retires voluntarily under sub-rule (1) or sub-rule (2) of rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975, as the case may be, the date of retirement shall be treated as a non working day.

Note 1.—Every person newly appointed to a service or a post under Government should at the time of appointment, be asked to produce birth certificate issued by the Registrar, Birth and Deaths, and in the absence of such a certificate, he should furnish either an attested copy of Matriculation Certificate or an affidavit in proof of correctness of the date of birth. The

[Chap. II]

DEFINITIONS

[2.5-2.11]

actual date or the assumed date determined under Note 2 below should be recorded in the History of Service, Service Book, or any other record that may be kept in respect of the Government Employee's service under Government and once recorded, it cannot be altered

except in the case of clerical error, without the previous orders of Government (see also Annexure 'A' to this Chapter).

Note 2.—(a) If a Government employee is only unable to state his exact date of birth but can state the year or year and month of birth, 1st July, or the 16th of the month respectively may be treated as the date of his birth.

(b) If a Government employee is only able to state his approximate age, his date of birth, may be assumed to be corresponding date after deducing the number of years representing his age from his date of appointment.

(c) When a Government employee who first entered as a military employee is subsequently employed in a Civil Department, the date of birth for Civil employment should be the date stated by him at the time of attestation or if at the time of attestation he stated only his age, the date of birth should be deduced with reference to that age, according to the method indicated in sub-para (b) above.

Note 3.—The date of birth given by an employee, in his application form, submitted to a recruiting agency *viz.*, the Punjab Public Service Commission or the Punjab Subordinate Services Selection Board or the Departmental Selection Committee as the case may be, shall be treated as final and no change in it shall be allowed after entry into Government service.

For administrative instructions in respect of alterations in the date of birth, see Annexure 'A' to this Chapter.

2.6. Apprentice means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from the Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.

2.7. Omitted.

2.8. Omitted.

2.9. Cadre means the strength of a service or a part of a service sanctioned as a separate unit.

2.10. Camp equipage means the apparatus for moving a camp.

Note.—“Camp equipage” is essentially different from “Camp equipment”. The latter form includes everything necessary to a Government employee to enable him to live in a Camp.

2.11. Camp equipment means tents and the requisites for pitching and furnishing them or, where tents are not carried, such articles of camp furniture as it may be necessary in the interests of the public service for a Government employee to take with him on tour.

[2.13-2.17] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

2.12. Omitted.

2.13. Compensatory allowance means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes traveling allowance, dearness allowance but does not include a sumptuary allowance nor the grant of a free passage by sea to or from any place outside India.

Note.— See the explanation and note 1 under rule 2.52.

2.14. Competent authority in relation to the exercise of any power means the Administrative Department concerned of Government acting in consultation with the

Department of Finance, or any other authority to which such power may be delegated by or under these rules. A list of authorities which exercise the powers of a competent authority under the various rules is given in Chapter XV.

Note.— Omitted.

2.15. Day means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed twenty-four hours, shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

2.16. Duty (a) Duty includes: —

(1) service as a probationer or apprentice, provided that service as a probationer is followed by confirmation; provided further that, in the case of apprentice, on confirmation either in the post for which he was undergoing apprenticeship or in any other post, he cannot count his apprentice period for leave as if it had been service rendered substantively in a permanent post.

(2) Joining time; and

(b) A Government employee is also treated as on duty under the circumstances specified in the schedule to this Chapter (See pages 16 to 19).

Note.—No leave of any kind can be treated as duty for the purpose of any rule unless the contrary is expressly stated therein.

2.17. Family means a Government employee's wife or husband, as the case may be, residing with the Government employee and legitimate children and step children residing with and wholly dependent upon the Government employee. Except in rules 2.59, 2.82, 2.83, 2.86 and 2.87 of the Punjab Civil Services Rules, Volume III (Travelling Allowance Rules), it includes in addition parents, sisters and minor brothers, if residing with and wholly dependent upon the Government employee and also the widowed sisters residing with and wholly dependent upon the Government

[Chap. II]

DEFINITIONS

[2.17-2.21]

employee: provided their father is either not alive or is himself wholly dependent on the Government employee.

Note 1.—The term “legitimate children” in this rule does not include adopted children except those adopted under the Hindu Law.

Note 2.—The term “child” or “children” used in this rule includes major sons and married daughters including widowed daughters so long as they are residing with and wholly dependent on the Government employee.

Note 3.—Not more than one wife is included in the term family for the purpose of these rules.

Note 4.—An adopted child shall be considered to be a legitimate child, if under the personal law of the Government employee, adoption is legally recognised as conferring on it the status of a natural child.

Note 5.—A person in receipt of a gross pension not exceeding the prescribed minimum pension of Rs. 3500 per mensem plus dearness relief thereon, but otherwise dependent on and residing with the Government employee, shall be considered a member of his/her family for the purposes of rules 5.3 and 5.5 of these rules.

2.18. Fee means a recurring or non-recurring payment to a Government employee from a source other than the Consolidated Fund of India or the Consolidated Fund of a State (including the Punjab State), or the Consolidated Fund of a Union Territory whether made directly to the Government employee or indirectly through the intermediary of Government, but does not include: –

- (a) unearned income such as income from property; dividends, and interest on securities; and
- (b) income from literary, cultural artistic, scientific or technological efforts and income from participation in sports activities as amateur.

2.19. Department of Finance means the Department of Finance of the Punjab Government.

2.20. First appointment includes the appointment of a person not at the time holding any appointment under Government, even though he may have previously held such an appointment.

2.20-A. Omitted.

2.21. Foreign service means service in which a Government employee receives his pay with the sanction of Government from any source other than the revenues of the Union or State Government or a Union Territory.

[2.23-2.28] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

2.22. Omitted.

2.23. General revenues include the revenues of the Union Government or of State Government and exclude the revenues of a Local Fund.

2.24. Government means the Punjab Government in the Administrative Department.

2.25. Head of Department means the authority shown in column 5 of Appendix-C to the Punjab Budget Manual in respect of the Government employees whose pay is charged to the corresponding head of account in column 2 of that Appendix, with the following exceptions:

- (1) Governor is Head of the Department with respect to himself and his personal staff.
- (2) Commissioners are Heads of Departments with respect to the Government employees other than the members of the Indian Administrative Service and the Punjab Civil Service whose pay is charged to the group heads "Commissioners" and "District Administration."

(3) The Conservators of Forests are Heads of Departments for all ministerial Government employees, Forest Rangers, Deputy Rangers, Foresters, Forest Guards and Group 'D' Government employees and other employees serving in their circles.

(4) Any other authority specially appointed by the competent authority to exercise the powers of a Head of Department.

2.26. Heads of Offices means the authorities defined as Disbursing Officers in rule 2.16 to the Punjab Budget Manual or any other Government employee declared to be the head of an office by competent authority.

2.27. The Headquarters of a Government employee are:—

(a) if he is attached to the Secretariat offices of the Government; the headquarters for the time being of the Government; and

(b) in other cases, the station which has been declared to be his headquarters by competent authority or, in the absence of such declaration, the station where the records of his office are kept.

2.28. Hill station means any place which a competent authority may declare to be a hill station.

2.29. Holiday means:—

- (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and
- (b) In relation to any particular office a day on which such office is ordered, by notification in the Gazette or otherwise to be closed for the transaction of Government business without reserve or qualification.

Note.—This term does not include “local holiday” which may be granted at the discretion of Head of Offices: provided there are no arrears of work, nor such merely discretionary holidays as the last Saturday of each month.

2.30. Honorarium means a recurring or non-recurring payment granted to a Government employee from the Consolidated Fund of India or the Consolidated Fund of a State (including the Punjab State) or the Consolidated Fund of a Union Territory as remuneration for special work of an occasional or intermittent character.

Note 1.—No honorarium should be paid in respect of any work which can fairly be regarded as part of the legitimate duties of the Government employees concerned.

Note 2.—It is one of the liabilities of Government employees to have to work outside office hours in exceptional times and circumstances. No honoraria should ordinarily be given on this account, but continuous working out of office hours may justify a claim to honoraria or to special pay.

Note 3.—No honoraria should be paid to Government employees for attending meetings of boards and committees financed wholly or partly from Government revenues.

Note 4.—No honorarium should be granted to Group ‘A’ and Group ‘B’ officers engaged on work in connection with the setting up of companies, corporations, etc. which forms a part of their normal duties even if they work beyond office hours.

2.31. Omitted.

2.32. Joining time means the time allowed to a Government employee in which to join a new post or to travel to or from a station to which he is posted.

2.33. 'Leave on half pay' means leave on salary equal to half pay, as regulated by rule 8.122.

[2.34-2.36] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

2.34. Leave salary means the monthly amount paid by Government to a Government employee on leave as determined in Rule 8.122.

Note 1.—The leave salary of a military officer, who is granted rent-free quarters and thereby foregoes lodging allowance in lieu thereof, shall, if he given up such quarter before going to leave, be calculated as though he had been drawing during the period of occupation, the lodging allowance to which he would otherwise have been entitled.

Note 2. Omitted.

Note 3. Omitted.

Note 4. Omitted.

Note 5. Omitted.

Note 6. Omitted.

Note 7. Omitted.

Note 8.—For interpretation of the expression 'pay, which the Government employee would have drawn if on duty in India', see note 4 below rule 6.2.

Note 9.—A Civil Officer undergoing military training is not a Military Officer as defined in rule 2.39. Consequently, in calculating leave salary in this case, the pay which he would have drawn during the period of training, had he not proceeded on training, should be taken into account. Similarly, a civil Government employee belonging to the Indian Army Reserve of Officers when called to Army Service or such a Government employee belonging to the Indian Territorial Force, while undergoing training with such a force is not a “Military Officer” as defined in rule 2.39 and in his case “pay” as defined in rule 2.44 (a) does not include ‘rank pay’ (received during the period of Service in the Army). In such cases, the pay which the Government employee would have received, if he had not been called to Army service and not the ‘rank pay’ actually drawn during that period should be taken into account for purposes of calculating leave salary under this rule.

Note 10.—Also see rule 8.122 and note thereunder.

2.35. Lien means the right or title of a Government employee to hold a regular post, whether permanent or temporary, either immediately or on the termination of the period of absence.

2.36. Local Fund means:—

(a) revenues administered by bodies which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally or to specific matters such as the sanctioning of their

budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules; and

(b) the revenues of any body which may be specially notified by the competent authority as such.

2.37. Omitted.

2.38. Military Commissioned Officer means a commissioned officer other than a departmental officer. It does not include a warrant officer.

2.39. Military officer means any officer falling within the definition of Military Commissioned Officer, or included in rule 2.38 above, or any warrant officer.

2.40. Ministerial employee means a Government employee belonging to State Service Group 'C', whose duties are entirely clerical and any other class of Government employees specially defined as such by general or special order of the competent authority.

Note.—Those members of Group 'B' service whose duties are predominantly clerical shall be classed as Ministerial employees for the purpose of this rule.

2.41. Month means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months should be calculated and the odd number of days added thereto. Illustrations;

(a) to calculate 3 months and 20 days on and from the 25th January the following

method should be adopted:—

	Y	M	D
25th January to 31st January	0	0	7
February to April	0	3	0
1st May to 13th May	0	0	13
	<u>0</u>	<u>3</u>	<u>20</u>

(b) the period commencing on 30th January and ending with the 2nd March, should be deemed as 1 month and 4 days as indicated below :—

	Y	M	D
30th January to 31st January	0	0	2
February	0	1	0
1st March to 2nd March	0	0	2
	<u>0</u>	<u>1</u>	<u>4</u>

[2.42-2.49] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

2.42. Officiate.—A Government employee officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Government employee to officiate in a vacant post on which no other Government employee holds a lien.

2.43. Omitted.

2.44. “pay” means—

(a) the basic pay, that is the amount drawn monthly by a Government employee in the scale of pay of the post held by him, or to which he is entitled by reason of his position in a cadre; and

(b) includes any other emoluments which may specifically be classed as part of pay by the competent authority.

2.45. Pension.—Except when the term, “pension” is used in contradistinction to “Gratuity”, pension includes Gratuity.

2.46. Permanent post means a post carrying a definite rate of pay and sanctioned without limit of time.

2.47. Personal pay means additional pay granted to a Government employee:—

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

Note.—No case will be entertained which is not of an entirely exceptional character; and in submitting cases for the grant of personal pay, this should be carefully borne in mind.

2.48. Presumptive pay of a post.—When used with reference to any particular Government employee, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government employee performs or discharges the work or responsibility, on consideration of which the special pay was sanctioned.

2.49. Probationer means a Government employee employed on probation in or against a substantive vacancy in the cadre of a department. This term does not, however, cover a Government employee who holds substantively a permanent post in a cadre and is merely appointed “on probation” to another post.

Note 1.—The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

[Chap. II]

DEFINITIONS

[2.49-2.52]

Note 2.—No person appointed substantively to a permanent post in a cadre is a probationer unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examinations.

Note 3.—The provisions of this rule and note 2 above are to be taken as complementary and not as mutually exclusive. Taken together, they contain the essence of the tests for determining when a Government employee should be regarded as a probationer, or so merely ‘on probation’ irrespective of whether he is already a permanent Government

employee or is merely a Government employee without a lien on any permanent post. While a probationer is one appointed in or against a post substantively vacant with definite conditions of probation, a person on probation is one appointed to a post (not necessarily vacant substantively) for determining his fitness for eventual substantive appointment to that post. There is nothing in this rule to prevent a Government employee substantive in one cadre from being appointed (either through selection by a departmental committee or as a result of competitive examinations through the Punjab Public Service Commission) as a probationer in or against a post born on another cadre, when definite conditions of probation such as the passing of departmental examinations are prescribed. In such a case the Government employee should be treated as a probationer and (subject to specific rules, if any, to the contrary) allowed only as initial and subsequent pay the rates of pay prescribed for the probationary period, irrespective of whether these rates are actually included in or shown separately from the time-scales of the services concerned. The case of Departmental candidates of the same department promoted by selection is, however, different. If the Department of the Government of Punjab concerned consider it expedient, these 'promoted' men may properly be put 'on probation' for a period to see if they make good in the actual work of the post to which they are promoted and have liens retained for them on their former posts meanwhile to provide for their possible reversion; whatever the departmental arrangements be to test their capacity etc., during the 'on probation' period their initial pay should be fixed under the operation of the normal rules regulating pay fixation.

2.50. Public conveyance means a train, steamer or other conveyance which plies regularly, though not necessarily at fixed intervals, a regular course for the

conveyance of passengers and does not deviate therefrom according to the wishes of passengers. Cabs, cars and horses are not regarded as public conveyances.

2.51. Omitted.

2.52. Special pay means an addition, of the nature of pay, to the emoluments of a post or of Government employees, granted in consideration of:—

(a) the specially arduous nature of duties;

(b) a specific addition to the work or responsibility and includes non-practising allowance granted to doctors in lieu of private practice.

Explanation.—The circumstances which justify the grant to a Government employee of special pay are entirely different in character from those which justify the grant of a compensatory allowance, a difference emphasised in the definition of

[2.52-2.55] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]
those terms embodied in rules 2.13 and 2.52. These definitions should be strictly construed and an exact compliance required with the conditions stated in them as antecedent to the grant of either special pay or compensatory allowance. There is no necessary inter-dependence between special pay and compensatory allowance. It is not the intention of the rules either that where the cost of living would justify the grant to a Government employee of a compensatory allowance, he should be rendered ineligible for such allowance, because he has already been granted special

pay in recognition of the duties and responsibilities of his post, or that if the attachment of special pay to a post is justified under the terms of the rules, it should be subject to reduction because for reasons essentially different, a compensatory allowance as defined in rule 2.13 is subsequently granted.

Note 1.—The reasons for the grant of a special pay and compensatory allowance should be recorded in the sanctioning order so that their classification may be duly watched in audit. In cases in which an official record in an open letter is considered undesirable, it should be possible to communicate the reason confidentially to the Accountant-General.

Note 2.— Omitted.

Note 3.—A provision in the contract of a Government employee appointed to a particular post that he should “also do all things that may be required of him” does not contemplate his being required to perform onerous additional duties in another post without remuneration.

2.53. Sphere of duty of a Government employee is the local area outside which he cannot travel without the special orders of competent authority. The sphere of duty of Heads of Department other than Commissioners is the Punjab; of Commissioners their respective divisions; and of other Government employees as may be ordered by competent authority.

2.54. Subsistence grant means a monthly grant made to a Government employee who is not in receipt of pay or leave salary.

2.55. Substantive pay means the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (b), to which a Government employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

Note 1.—Substantive pay includes the pay drawn by a probationer in a post to which he has been appointed on probation.

Note 2.—Substantive pay does not include overseas pay.

2.56. Omitted.

2.57. Omitted.

[Chap. II]

DEFINITIONS

[2.58-2.62]

2.58. Temporary post means a post carrying a definite rate of pay sanctioned for a limited time. Such a post can be held in an officiating capacity.

Note.—An extension of a temporary post necessary to cover the period of leave granted to its holder, is expedient only when the grant of leave involves no expense to Government, but improper in the absence of this condition.

2.59. Tenure post means a permanent post which an individual Government employee may not hold for more than a limited period.

2.60. (a) Time-scale pay means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay previously known as progressive.

(b) Time scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of time-scales are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or class, and not by the facts he holds that post.

Note.—Two time scales of pay should be treated as identical within the meaning of Rule 2.60 (b) even though the scales may differ in the matter of provision of efficiency bars.

2.61. Transfer means the movement of a Government employee from one headquarters station in which he is employed to another such station, either:—

- (a) to take up the duties of a new post; or
- (b) in consequence of a change of his headquarters.

2.62. Travelling allowances means an allowance granted to a Government employee to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents.

SCHEDULE

[Referred to in Rule 2.16 (b)]

I. A Government employee is treated as on duty under the following circumstances:—

- (i) When he is following out a duly authorised course of training or instruction in India.

Note 1.—The period of Military training of Civil Government employees admitted to the Army in India, Reserve of Officers or the Indian Territorial Forces is treated as duty.

Note 2.—The period spent by Civil Government employees, whether paid from the Defence Services Estimates or Civil Estimates on training of pre-cadet provincial school with the permission of the Head of Office is treated as duty. This concession is also

admissible to temporary Government employees only for so long as they would have continued in service but for their training.

Note 3.—The authorities competent to appoint the Government employee to the post for which the training is essential are empowered to treat the period of training or instruction in India of Government employee as duty for the purpose of rule 2.16 subject to the following conditions:—

- (a) The training or instruction should be in India;
- (b) The training or instruction should be in public interest and connected with the post which the Government employee is holding at the time of placing him on training or instruction and should cover such a course where a Government employee does not secure any academic degree or diploma or does not become eligible for securing admission to a course leading to the award of such degree or diploma;
- (c) It is obligatory on the part of the Government to send the persons for such training or instruction;
- (d) The training should not be in professional or technical subjects which are considered in public interest and which are normally covered under the provisions relating to study leave, such as a course by which a Government employee secures academic degree or diploma or becomes eligible for securing admission in a course leading to the award of such degree or diploma; and
- (e) The period of training should not exceed one year.

The cases which do not fall in the above category shall be rejected summarily but in cases in which the course is considered of great public importance, there is dearth of Government employees trained in it and

ordinarily Government employees are not enthusiastic to undergo such a course

[Chap. II]

DEFINITIONS

[Schedule]

of their own volition, Government may sponsor names of Government employees for training in such a course only with the prior consent of the Department of Finance.

Exception.—Teachers in Government service who are untrained or who being trained are desirous of undergoing a further course of training shall not be regarded as on duty during the course of training. They may be granted leave there for under the ordinary rules with such leave salary as may be admissible.

The provisions of the above Exception do not apply to the following cases:—

- (a) women teachers required to undergo a duly authorised course of training approved by competent authority;
- (b) teachers in Intermediate Colleges required to undergo S.S.T.C. or B.T. training at a Training College;
- (c) teachers and Block Education Officers required to attend a course in physical training; and
- (d) Physical Training Supervisors in Government Colleges required to attend the Elementary Library Routine Class conducted by the Punjab University.

- (e) Women teachers from the Government Industrial School for girls or from Government Travelling Demonstration Parties required to undergo industrial training at the Industrial Teachers Training Class for women.
- (ii) Period or periods spent by an employee of the Punjab Government in A.R.P. Training and A.R.P. duty during normal working hours with the permission of the head of his office shall be treated as duty for the purpose of rule 2.16.
- (iii) In the case of a Government employee who has been substantively appointed to a post or cadre in a Government service during any course of instruction or training which he may be required or permitted to undergo in accordance with the terms of any general or special orders of the competent authority.
- (iv) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a University College or School during the interval between satisfactory completion of the course and his assumption of duties, unless in any case, it be otherwise provided in the terms of his appointment.
- (v) On the first arrival in India of Government employees appointed outside India, who do not, before they report themselves at the seat of the

Government of the Punjab, receive orders to take charge of a specified post

[Schedule] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

during the interval between the date of such report and the date on which they take charge of their duties; provided that the interval between the receipts of orders and their assumption of duties shall not exceed the amount of joining time which would be admissible to a Government employee entitled to joining time under the rules in Chapter IX.

- (vi) The period of compulsory waiting by a Government employee returning from leave for orders of Government posting him to a particular post.
- (vii) During the period occupied in attending obligatory examinations including the time reasonably necessary for the journeys to and from the place of examination.
- (viii) During the period occupied in attending optional examinations at which a Government employee is permitted to appear by competent authority and during the time reasonably necessary for the journey to and from the place of examination.
- (ix) Omitted.
- (x) The period spent by newly appointed Engineer Officers from the day they report for duty to the day they complete taking over charge of posts involving verification and inspection of stores, etc. It is not necessary to create new posts to accommodate the direct recruits since treating the period as duty is by itself sufficient sanction in this regard.
- (xi) In all cases of enforced halts occurring en route on tour journeys temporary transfer or training, necessitated by break down of communications due to blockade of roads on account of floods, rains, heavy snowfall, landslides, or delayed sailings of ships or awaiting for air lift etc.

II. Government employee is not on duty during any time he may spend beyond his sphere of duty except in the following circumstances: –

- (1) Under the conditions laid down in clause I above.
- (2) If a Police Officer, acting with his legal power.
- (3) If an Excise and Taxation Officer, Assistant Excise and Taxation Officer, Excise Inspector, Taxation Inspector or Excise Sub-Inspector acting under the orders of (i) The Excise and Taxation Commissioner, or (ii) Deputy Excise and Taxation Commissioner, or (iii) The Collector.

[Chap. II]

DEFINITIONS

[Schedule]

- (4) A Tehsildar, or Naib-Tehsildar serving in a mahal, a settlement or a colony post who proceeds under the orders of the Deputy Commissioner, Settlement Officer, or Colonisation Officer, as the case may be, beyond his sphere of duty but inside the district, or who proceeds under the orders of the Commissioner beyond the districts to which he is posted.
- (5) If authorised by competent authority, by general or special order.
- (6) If a ministerial Government employee or a peon, accompanying a recessing officer to his recess station.

Clarification:—It is not the intention of the rule to keep an employee returning from leave waiting for his posting orders for an inordinately long period and to place an avoidable burden on the State Exchequer. Action should be initiated for the posting of an employee expected to report for duty well in advance and formal posting orders should invariably be issued well before the date of return of the employee to duty.

ANNEXURE 'A'

(Referred to in Rule 2.5 and Note 3 thereunder)

1. In regard to the date of birth, a declaration of age made at the time of or for the purpose of entry into Government service shall, as against the Government employee in question, be deemed to be conclusive. The employees already in the service of the Government of Punjab on the date of coming into force of the Punjab Civil Services (First Amendment) Rules, Volume-I, Part-I, 1994, may apply for the change of date of birth within a period of two years from the coming into force of these rules on the basis of confirmatory documentary evidence such as Matriculation Certificate or Municipal Birth Certificate, etc. No request for the change of date of birth shall be entertained after the expiry of the said period of two years. Government, however reserves the right to make a correction in the recorded age of a Government employee at any time against the interests of the Government employees when it is satisfied that the age recorded in his service book or in the History of service of a Gazetted Government employee is incorrect and has been incorrectly recorded with the object that the Government employee may derive some unfair advantage therefrom.

2. When a Government employee, within the period allowed, makes an application for the correction of his date of birth as recorded a special enquiry should be held to ascertain his correct age and reference should be made to all available

sources of information such as Certified Copies of entries in the municipal birth register, University or School age Certificate, Janam Patris or horoscopes. It should, however, be remembered that it is entirely discretionary on the part of the sanctioning

[Annexure 'A'] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. II]

authority to refuse or grant such application and no alteration should be allowed unless it has satisfactorily been proved that the date of birth as originally given by the applicant was a bonafide mistake and that he has derived no unfair advantage therefrom.

3. The result of every such enquiry should, in the case of gazetted, non-gazetted Government employees be briefly stated in their service cards, service books and if a correction is sanctioned, the fact should be reported to the Accountant-General.

CHAPTER III

GENERAL CONDITIONS OF SERVICE

CONDITIONS REGARDING HEALTH AND AGE

(i) Medical Certificate of Fitness on First Entry into Government Service

3.1. Except as provided in rules 3.2 and 3.3, no person may be appointed in India to a post, in Government service without medical certificate of health, in the following form: –

“I hereby certify that I have examined _____, a candidate, who is male/female/transgender, for employment in the _____ Department, whose signature is given above, and could not discover that _____ has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except _____, which I do not consider any disqualification for employment in the office of _____. His/her age, according to his/her own statement is _____ years and by appearance about _____ years _____ has been vaccinated within the last 12 months or has been re-vaccinated within the last 12 months, or has already had small-pox and shows obvious scars thereof.”

Photo of the candidate duly attested under the seal

and signature of Competent Medical Authority

issuing the certificate.

Marks of identification _____.

Impressions of the left hand

thumb and fingers.

Signature of Applicant.

Signature of Competent Medical Authority.

In the case of candidates for Group 'C' and 'D' Services, a declaration in the Form, appended as an Annexure at the end of this Chapter, shall be obtained from the candidates at the time of medical examination required by this rule, or on re-employment to Government service. This declaration form should be filled in by the candidate concerned in the presence of the medical officer.

Explanation:—The person belonging to Transgender sex shall be treated as a male.

Exception 1:—The Administrative Department may authorise the drawal of pay and allowances for a period not exceeding two months in respect of fresh recruits to Government service without a medical certificate of health, subject to the condition that if the person concerned is subsequently found medically unfit his services should be terminated after the expiry of the period of one month from the date of

[3.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]
communication to him of the findings of the Medical Officer/Board if no appeal for second medical examination is made by him during this period or after the case for

second medical examination is finally decided if such an appeal, is made and accepted. This condition should be clearly stated in the initial letter of appointment.

The Administrative Department shall, however, exercise this power sparingly and in exceptional circumstances only, e.g., when it is considered necessary in the public interest that a selected person should be appointed immediately in anticipation of his medical examination.

Exception 2:-The Administrative Department may authorise the drawal of pay and allowances without production of fitness certificate in respect of Government employees, other than those covered by clauses (a) and (b) of Note 2 (iv) below rule 3.4 who are promoted to hold Group 'A' or Group 'B' posts and who are required to undergo medical examination by the appropriate medical authority, for a period not exceeding two months subject to the condition that if the person concerned is subsequently found medically unfit, he should be reverted to the lower post from which he had been promoted, after the expiry of one month from the date of communication to him of findings of the examining medical authority if no appeal for a second medical examination is made by him during this period or after the case for second medical examination is finally decided if such an appeal is made and accepted. This condition should clearly be stated in the relevant orders of promotion to the Group 'A' or Group 'B' post.

Note 1.—In the case of literate persons who can sign in English, Punjabi or Hindi, it will be sufficient if the examining Medical Officer or Board obtains on the Medical Certificate only the signature of the candidate in his or its presence which should be verified by the Head of Office by comparison with that in the Service Book.

Note 2.—A certificate to the effect that the medical certificate in the prescribed form has been obtained in respect of the Government employee should be furnished to the Audit Office as under :—

(i) In respect of Group 'A' and 'B' employees, certificate furnished by the competent authority to whom the medical certificate has been submitted, should be attached to the first pay bill.

(ii) In respect of Group 'C' employees the drawing and disbursing officers should furnish certificate alongwith the first pay bill of the Government employee concerned.

(iii) Where the competent authority under 'exception' below rule 3.1 authorises the drawal of the pay and allowances of a newly appointed Government employee for a period not exceeding two months without a medical certificate of health, a certificate to this effect should be furnished in the first pay bill.

(iv) Where an officer is declared temporary unfit by the competent medical authority and retained in service the period for which the officer has been declared temporarily unfit should be intimated to audit.

Note 3. Omitted.

Note 4.— The fee to be charged for medical examination of candidates selected for fresh appointment to the posts in connection with the affairs of the State, shall be notified by the Government from time to time. The entire amount of fee shall be credited into the Government Treasury.

Note 5.—(1) The fee to be charged for appeals against Medical Examination of Government employees who have been declared unfit by the Principal Medical Officer or Assistant to Civil Surgeon/Standing Medical Board shall be notified by the Government from time to time.

(2) Omitted.

(3) The fee for the second appeal in case of rejection on account of visual acuity which is permissible in doubtful cases will be same as the fee in case of first appeal.

(4) There should be no additional charges for the inclusion of second Ophthalmologist in the special Medical Board in case of appeals against rejection on account of visual acuity. It is the responsibility of the Government to constitute the special Medical Board with two Ophthalmologists and it is an internal arrangement as to where the second Ophthalmologist is called from.

(5) The successful appellant may be refunded the fee of appeal and also be paid travelling allowance by his department for his attendance before the Board on the analogy of the practice in case of appeal against invalidment. The Travelling Allowance should be granted equal to actual railway fare (of class of accommodation

to which they are entitled) without any allowance for incidental expenses and daily allowance for the journey to be undertaken to appear before the Medical Board which is constituted to have another opinion about fitness.

3.2. A competent authority may, in individual cases, dispense with the production of a medical certificate and may, by general order, exempt any specified class of Government employees from the operation of rule 3.1.

Note.—Once a person is asked to produce a Medical Certificate of fitness for entry into Government service and has actually been examined and declared unfit, it is not open to the competent authority to use its discretion to ignore the certificate.

3.3. Except where the competent authority by general or special order directs otherwise, the following classes of Government employees are exempted from producing a Medical Certificate of health:—

(1) A Government employee appointed by the High Commissioner for India.

[3.3] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

(2) A qualified student of the Thomason College, Roorkee, permanently appointed to the Public Works Department within 18 months from the date of the health certificate granted to him on the completion of the College Course.

(3) A Government employee appointed in a temporary vacancy for a period not exceeding six months.

- (4) A temporary Government employee who has already been medically examined in one office if transferred to another office without a break in his service. The person concerned should, however, obtain a certificate from the Head of office from which he is transferred to the effect that he had already produced the requisite medical certificate of Health.
- (5) A retired Government employee re-employed immediately after retirement.
- (6) An ex-serviceman disabled in war operation.—In his case, however, the certificate of fitness granted by the Demobilisation Defence Services Medical Board for Civil Service may be considered valid for service under the Punjab Government:

Provided that the above certificate is not found to be inconsistent with the minimum standard otherwise prescribed for the post of service to which the appointment is to be made:

Provided further that in case where period of not less than one year has elapsed since the release of the disabled ex-serviceman from the Army, or it is otherwise considered necessary, the appointing authority shall have the power to get such ex-serviceman examined by the Civil Surgeon/Principal Medical Officer concerned.

Note 1.—The production of a Medical certificate is necessary when:—

- (i) A Government employee is promoted from a non-qualifying service paid from a local fund to a post in superior Government service.
- (ii) A person is re-employed after resignation or forfeiture of past service.

Exception: A person re-employed after resignation shall be exempted from producing a medical certificate of fitness if the resignation was for taking up another appointment under Government or quasi-Government body for which he applied with the approval of and through the appropriate authority; provided that he was medically examined by the Competent Medical Authority and declared fit according to the medical standards not lower than those in his new post.

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[3.3-3.4]

Note 2.—In the case of Government employees referred to in clause (3) of the rule; the appointing authorities should, in any case, satisfy themselves that the candidate is protected against smallpox.

3.4. (1) (a) Except in the case of Members of the Punjab Home Guards, the Medical Certificate of health shall be signed by a Medical Board in the case of a Group 'A' or Group 'B' Government employee, and by a Principal Medical Officer or

an Assistant to Civil Surgeon or a Medical Officer of equivalent status in the case of a Group 'C' Government employee.

(b) In the case of the members of the Punjab Home Guards who are primarily governed by the Punjab Home Guards Act, 1947 and the Punjab Home Guards' Rules 1963, the medical certificate of health shall be signed by a Principal Medical Officer or Assistant to Civil Surgeon in the case of Group 'A' and Group 'B' employees and by a Senior Medical Officer or a Medical Officer of equivalent status in the case of Group 'C' and Group 'D' employees, and the medical examination shall be held in accordance with the standard laid down by the Commandant-General, Punjab Home Guards.

(2) (a) In the case of a female candidate appointed to a Group 'A' or Group 'B' post, the medical certificate shall be signed by a Medical Board consisting of a woman doctor possessing medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956 (102 of 1956) as one of its members, and

(b) In the case of a female candidate appointed to a Group 'C' or Group 'D' post, the medical certificate shall be signed by a registered female medical practitioner possessing a medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956 (102 of 1956).

(3) In the case of Group 'D' Government employees, the medical certificate shall be signed by the Authorised Medical Attendant possessing a medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956 (102 of 1956) and where there is no such Authorised Medical Attendant by a Government Medical Officer of the nearest dispensary or hospital possessing such qualification.

(4) A candidate who is likely to be employed in a temporary capacity continuously for a period exceeding three months shall produce either before or within a week from the date of employment, the certificate from the competent medical authority as prescribed in this rule. When, however, a Government employee initially employed in an office in a temporary capacity for a period not exceeding three months is subsequently retained in that office or is transferred without a break to another office and the total period of continuous service under Government is expected to last for a

[3.4] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

period exceeding three months he shall produce such a certificate within a week from the date of orders sanctioning his retention in that office or joining the new office.

Note 1.—(i) A person who is appointed to Government service afresh after a break in service not exceeding one year should be treated as in continuous service for the purpose

of these orders, the period of break not being counted. If, however, the period of break exceeds one year, he should be regarded as a fresh entrant to Government service.

(ii) A person who is in continuous service but in different posts should be deemed for the purpose of these orders to have been in continuous service in the same post.

Note 2.—(i) Except as provided in para (4), a Government employee, holding under Punjab Government:—

- (a) a Group 'C' or Group 'D' post when appointed to another Group 'A' or Group 'B' post, or
- (b) a Group 'A' or Group 'B' post when appointed to another Group 'A' or Group 'B' post, either by transfer or on promotion in the same line or in a different line through open competitive examination, need not be required to undergo medical examination by the Medical Board, if he has already been declared fit on medical examination by the Civil Surgeon at the time of his entry into Government Service.

(ii) A permanent Government employee holding a Group 'A' or Group 'B' post in Centre or under any other State Government when appointed to a Group 'A' or Group 'B' post under the State Government need not be subjected to a fresh medical examination by a Medical Board ;

(iii) A permanent Government employee holding a Group 'C' or Group 'D' post in the Centre or under any other State Government when appointed to a Group 'A' or Group 'B' post under the Punjab Government will be required to undergo a fresh medical examination

by a Medical Board, but when appointed to a Group 'C' or Group 'D' post, no Medical examination will be necessary ; and

(iv) In cases where the rules for recruitment to new appointment prescribe a fresh medical examination in respect of all candidates, all directly recruited/selected candidates irrespective of the fact whether they are already in permanent or quasi-permanent Government service in the same or in other departments or are fresh appointees, should undergo a medical examination by the prescribed standard and by the prescribed medical authority; provided that a fresh medical examination will not be necessary in the case of –

(a) a person who is already in permanent or quasi-permanent employ of the Government and has already undergone a medical examination by a standard and by a medical authority which are recognised by the appointing authority as equivalent to those prescribed for the new appointment for which he is recruited/selected ; and

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[3.4-3.6]

(b) a person who is already in permanent or quasi-permanent employ in the same line, and being eligible for promotion to the new appointment against a promotion quota of vacancies, is actually so promoted.

Note 3. Omitted.

Note 4.—The Group 'A' and Group 'B' employees posted at Delhi are permitted to produce certificates of health and age signed by the Medical Board, Delhi.

Note 5.—A candidate recruited to the P.C.S. (Executive Branch) from Register A-1 (Tehsildars and Naib-Tehsildars) and Register A-II (Ministerial Government employees) should not be required to undergo medical examination if he was medically examined and declared fit on appointment to Government Service.

3.5. When a Government employee in whom a defect has been noticed by the examining surgeon, but which defect is not considered to be a disqualification for employment in the particular office or department in which he is serving, is subsequently transferred to another office or department the duties of which are of a different character, the transfer shall not be regarded as permanent until the Principal Medical Officer or Assistant to Civil Surgeon or other medical authority referred to in rule, 3.4 has, at the written request of the Head of the new office or department, certified either that the defect previously noticed has disappeared or that it does not constitute a disqualification for the new duties entrusted to the Government employee.

3.5-A. The appointing authority shall have power to require a Government employee to appear before a Medical Board to test his physical fitness for the efficient discharge of the duties of his post, whenever, it has reason to believe that Government employee is not physically fit to carry out his duties satisfactorily. The

Government employee concerned shall, however, have a right of appeal to an appellate Medical Board, against the decision of the first Medical Board.

(ii) Age of entry into Government Service.

3.6. The age limit for persons to be appointed to the posts and services in connection with the affairs of the State of Punjab shall be such as may be specified by the Government from time to time.

Note.—See rules 5 and 5-A of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994 and rule 5 of the Punjab State (Group ‘D’) Service Rules, 1963.

3.7. Omitted.

3.8. Omitted.

[3.9-3.12] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

(iii) Vaccination and re-vaccination.

3.9. Every Government employee shall get himself vaccinated and re-vaccinated at any time when so directed by the Government by general or special order.

WHOLE TIME OF A GOVERNMENT EMPLOYEE AT THE DISPOSAL OF
GOVERNMENT

3.10. Unless in any case it be otherwise distinctly provided, the whole time of a Government employee is at the disposal of the Government which pays him and he may be employed in any manner required by proper authority, without claim or additional remuneration, whether the services required of him are such as would

ordinarily be remunerated from Union or State revenues, or from the revenues of a local fund.

SUBSTANTIVE APPOINTMENT AND LIEN

3.11. Omitted.

3.12. (1) A Government employee confirmed on a post acquires a lien on that post. If such a Government employee is appointed by direct recruitment or by transfer in another department or in a different cadre in the same department, as the case may be, he shall give an option to acquire the lien on the post, presently held by him within a period of six months after the completion of his probation period, and on exercise of such an option, he shall cease to hold the lien on the post in the parent cadre or department, as the case may be, from the date he is confirmed against the post presently held by him. If such an option is not exercised by him within the aforesaid stipulated period, he shall be reverted back to the parent cadre or department, as the case may be.

(2) In the case of a temporary Government employee, who is appointed by direct recruitment or by transfer in another department or in a different cadre in the same department, he shall not be allowed to retain any lien on the post held prior to this his new appointment after the expiry of a period of two years from the date of his joining against the new post.

Note.—If a Government employee, who is confirmed against a post in a department, has been appointed by direct recruitment or by transfer in another department or in a different cadre in the same department and has also completed his probation period, but has not been confirmed on the new post upto the date of publication of the Punjab Civil Services Rules (First Amendment) Rules, Volume-I, Part-I, 1997, in the Official Gazette, he shall give an option to acquire lien on the post presently held by him within a period of six months from the date of publication of the said rules. If such an option is not exercised by him within the aforesaid stipulated period, he shall cease to hold the lien on the post in the parent cadre or post or department, as the case may be, from the date he is confirmed against the new post presently held by him.

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[3.15-3.19]

3.13. Omitted.

3.14. Omitted.

3.15. A Government employee's lien on a post, shall, in no circumstances, be terminated, even with his consent, if the result will be to leave him without a lien on any post.

3.16. Omitted.

3.17. (a) Government may transfer a Government employee from one post to another; Provided that except—

- (1) on account of inefficiency or misbehaviour; or
- (2) on his written request;

a Government employee shall not be transferred substantively to or, except in a case covered by rule 4.22, appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien.

(b) Omitted.

Note 1.—In cases covered by clause (a) (2) above the Government employee will have his initial pay fixed under rule 4.4 and, if necessary, under rule 4.10.

Note 2.—Permanent transfer from a higher to a lower scale in anticipation of the abolition of a post is not transfer within the meaning of this rule.

Note 3.—In cases in which it is desired to give to a Government employee an extension of service on the condition that he voluntarily agrees to accept a post in a lower grade, so as not to interfere with the legitimate expectations of his juniors to promotion; the only method

is to create a temporary post. Such a step can only be permitted under most exceptional circumstances. It must be regarded as the normal course of events that an extension of service involves delay of promotion to juniors and no proposal for the creation of a temporary post to satisfy legitimate expectations will be considered unless it has been submitted to the competent authority before the extension of service is granted.

SUBSCRIPTION TO PROVIDENT FUNDS

3.18. A Government employee may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as the competent authority may by order prescribe.

DATE OF RECKONING PAY AND ALLOWANCES

3.19.(1) Subject to any exceptions specifically made in these rules, a Government employee commences or ceases to be entitled to the pay and allowances of a post with effect from the date he assumes or relinquishes charge of the duties of

[3.19-3.22] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]
that post, if he assumes or relinquishes charge of those duties in the forenoon of that date; otherwise from the following day.

Note.—This rule does not apply to cases in which it is the recognised practice to pay a Government employee at higher rate for more important duties performed during a part only of a day.

(2) The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the authority by whom he is appointed.

3.20. The pay of personnel recruited by Government overseas who receive free passages, other than 1st class passages, on their first appointment, should commence from the date of embarkation for India: Provided that pay for the period from the date of embarkation for India up to the date of joining their posts will be admissible only on the condition that they join their appointments without unnecessary delay. The pay of personnel who receive first class passages should commence from the date of disembarkation in India: unless it is provided otherwise in his agreement or contract, or Government specially allow pay from any earlier date in any individual case. When they are prevented from proceeding at once from the Port of disembarkation in India to take up their appointments, they should be granted leave not due under rule 8.119 (d), as the circumstances of the case may require.

Note.—The phrase “without unnecessary delay” occurring at the end of the first sentence of this rule should be interpreted with reference to the joining time rules. This stipulation

should be regarded as fulfilled if the officer reports for duty within the period allowed by the joining time rules with only one day (instead of six days) for preparation at the port of disembarkation and any excess over that number of days should be treated as "leave not due". The minimum of the officer's time scale of pay (including overseas pay) or if there be no time scale but fixed pay, the fixed pay may be treated as his pay for the purpose of calculating half pay for the period of "leave not due".

The phrase 'without unnecessary delay' should be taken as referring only to the delay on the part of the officer in reporting himself for duty (either at the headquarters of Government or at the actual place of duty, as the case may be) and not delay in actually taking up his duties thereafter.

3.21. Omitted.

CHARGE OF OFFICE

3.22. Except as provided in rules 3.23, 3.24 and 8.25 to 8.33, the charge of an office must be made over at its headquarters; both the relieving and relieved Government employees being present.

Note 1.—Every relieving Government employee is responsible for informing the Government employee to be relieved, at the earliest possible moment of the date when he will

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[3.22-3.24]

be in a position to receive charge and it is the duty of the Government employee to be relieved to be in readiness to deliver charge on that date.

Note 2.—When more than one day is occupied in making over charge, the last date should be entered in the Charge Report and an explanation should be submitted.

3.23. A competent authority may permit the provisions of rule 3.22 to be relaxed either as to the place of making over charge or the condition that both Government employees shall be present, or both: Provided –

- (a) both Government employees must be present unless the transfer or assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance;
- (b) if the Government employee relieved departs before the arrival of his relief, his early departure shall not entail a correspondingly early transfer from another station of a Government employee to perform his duties ;
and
- (c) if the Government employee relieving arrives or returns from leave after the departure of the Government employee relieved, the delay in his arrival or return shall not involve a corresponding delay in the transfer to another station of the Government employee who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

Explanation:—In deciding whether the absence of a Government employee involves the transfer of a Government employee from another station for the purpose of the provisos (b) and (c) of this rule, account should be taken only of the substitute who takes the place of the absent Government employee, not of all Government employees, in the chain of arrangements arising from one Government employee's absence on leave.

Note 1.—For rules regarding the prefixing and affixing of holidays and vacation to joining time and leave see rules 8.26 to 8.33.

Note 2.—In cases involving transfer and charge of an office elsewhere than its headquarters, the exact nature of the reasons should be expressed on the face of the orders for the information of the Audit Officer.

3.24. On condition that the departing Government employee remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under rule 3.23 is not applicable to any particular case.

Note.—The handing over of a permanent advance is not a transfer of money, but the Government employee going on leave continues to be responsible for the money till the formal assumption of charge by his successor.

[3.25-3.26] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

CONTINUOUS ABSENCE FROM DUTY

3.25. (1) Unless the competent authority in view of the exceptional circumstances of the case, otherwise determines, no Government employee shall be granted leave of any kind for a continuous period exceeding five years.

(2) Where a Government employee does not resume duty after remaining on leave for a continuous period of five years, or where a Government employee after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which, together with the period of the leave granted to him, exceeds five years, he shall, unless, the competent authority, in view of the exceptional circumstances of the case, otherwise determine, be removed from service after following the procedure laid down in the Punjab Civil Services (Punishment and Appeal), Rules, 1970.

Note.—This rule does not relate to cases where a Government employee is restrained from resuming duty by an order placing him under suspension. Sanction of the competent authority in terms of this rule in such a case is not, therefore, necessary. It is essential, however, in the interests of Government as well as of the concerned officer that disciplinary proceeding against an officer under suspension should be expedited and final orders passed as soon as possible.

RETIREMENT

3.26. (a) Except as otherwise provided in this rule, the date of retirement of a Government employee shall be as follows, namely:—

- (i) fifty-eight years in the case of Group ‘A’, ‘B’ and ‘C’ employees; and

(ii) sixty years in the case of Group 'D' employees;

Provided that if the State Government is of the opinion that it is necessary and expedient so to do in public interest, the Service of a Government employee or a class of Government employees, may be extended for a period of two years on yearly basis, subject, however, to giving an option within a period of three months before the date of retirement by the Government employee, who seeks extension:

Provided further that a Government employee, who is already on extension, shall also give fresh option within a period of one month from the date of publication of these rules:

Provided further that no Government employee, shall be retained in Service, after the completion of his extended period of Service. However under exceptional circumstances, if the State Government considers it necessary and expedient so to do in public interest, it may extend the Service of a Government employee beyond the aforesaid limit, for the reasons to be recorded, in writing.

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[3.26]

(b) Notwithstanding anything contained contrary in these rules or any other rules for the time being in force, during the extended period of Service under clause (a), the Government employee shall be entitled to pay equal to the pay last drawn by him, on attaining the age of fifty-eight years or sixty years including an employee, who is already on extension, as the case may be:

Provided that the Government employee, whose Service is extended, shall not be entitled to, –

- (i) promotion;
- (ii) the benefit of Assured Career Progression;
- (iii) an annual increment; and
- (iv) any revision of pay made by the State Government:

Provided further that the pay of the Government employee already on extension, who has been given promotion or the benefit of Assured Career Progression during the extended period till the issue of this notification, shall be protected and he shall be given the retiral benefits on the basis of his protected pay.

(c) A member of the Punjab Civil Services (Judicial Branch) or the Superior Judicial Service shall be required to retire on attaining the age of sixty years if High Court is satisfied of his continued utility to the judicial system, subject to evaluation of his potential by making an objective assessment of his work, conduct and integrity and also keeping in view the reputation acquired by him as a Judicial Officer and has passed an order in this regard, otherwise the Judicial Officer will retire at the age of fifty eight years.

Explanation:—The decision to enhance the age of superannuation for the officers of the Punjab Civil Services (Judicial Branch) and of Superior Judicial Service has been taken in pursuance of decision of the Supreme Court dated the 24th August, 1993 in Review Petition No. 249 of 1992 in Writ Petition No. 1022 of 1989 and shall be applicable in consonance with guidelines laid therein.

(d) Notwithstanding anything contained in this rule a Government employee whose date of birth falls on any day of month other than the first of that month, shall on attaining the age of superannuation determined in accordance with the provision of clause (a), (b) or (c) as the case may be, retire on the last day of that month, which will be a working day.

Explanation.—A Government employee whose date of birth is the first of the month shall retire on the afternoon of the last day of the preceding month.

Note 1.— Omitted.

[3.26-3.27] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

Note 2.—Military Officers serving in Civil employ shall cease to be in such employ on reaching the age of 58 years.

Note 3.—Clauses (a) and (b) of this rule apply to all Government employees to whom these rules as a whole apply, whether they be holding temporary or permanent posts substantively or in an officiating capacity. When a Government employee holding a

permanent post substantively is officiating in another post, this rule should be applied according to the character of the post in which he is officiating and not according to the character of the permanent post held substantively by him.

Note 4.—Omitted.

Note 5.—Regarding the day of attaining a specified age, see rule 2.5.

Note 6.—This rule is applicable to re-employed personnel and the rules in Chapter VII of Volume II of these rules are subject to the conditions laid down in this rule. Rule 7.17 of Volume II of these rules, however, from the nature of its concession and conditions puts the re-employment of a person in receipt of a superannuation or retiring pension in a special class outside this rule and subject to the conditions stated in that rule itself which must be observed with every renewal of sanction.

3.27. Notwithstanding anything contained in rule 3.26, the date of retirement of a Government employee (other than a Group ‘D’ employee), who is suffering from any of the disabilities viz., blindness or low vision, hearing impairment, locomotor disability or cerebral palsy, shall be the date on which he attains the age of 60 years instead of 58 years:

Provided that whenever an appointing authority has reason to believe that such a Government employee is mentally or physically unsuitable to discharge the duties of the post held by him, it shall require him to appear before a Civil Surgeon for a medical check-up and his continuance in the Government service beyond the age of 58 years, shall be subject to being declared fit on such medical check-up.

Explanation 1.— (i) The term “disabilities” used in this rule shall have the same meaning as defined in Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996); and

(ii) The expression “a Government employee, who is suffering from any of the disabilities” means a Government employee who is suffering from not less than forty per cent of any of the disabilities mentioned in this rule as certified by the medical authority specified by the Government.

Explanation 2.—(i) A Government employee whose date of birth falls on any day of month other than the first of that month, shall on attaining the age of 60 years, retire on the last day of that month, which will be a working day; and

(ii) A Government employee whose date of birth is the first of the month shall retire on the afternoon of the last day of the preceding month.

[Chap. III]

GENERAL CONDITIONS OF SERVICE

[Annexure]

ANNEXURE

(Referred to in rule 3.1)

CANDIDATE'S STATEMENT AND DECLARATION

The candidate must make the statement required below prior to his Medical Examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the Note below: –

1.	State your name (in full in block letters)	
2.	State your age and place of birth	
2A.	State your sex: (Male/Female/Transgender)	
3.	(a) Have you ever had small-pox, intermittent or any other fever, enlargement or	

	<p>suppuration of glands, spitting of blood, asthma, heart disease, lung disease, fainting attacks, rheumatism appendicitis?</p> <p>OR</p> <p>(b) any other disease or accident requiring confinement to bed and medical or surgical treatment ?</p>	
4.	When you were last vaccinated?	
5.	Have you or any of your near relations been afflicted with consumption, scrofula, gout, asthma, fits, epilepsy, or insanity?	
6.	Have you suffered from any form of nervousness due to overwork or any other cause?	
7.	Have you been examined and	

	declared unfit for Government service by a Medical Officer/Medical Board, within the last three years?	
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[Annexure] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. III]

8	Furnish the following particulars concerning your family :		
Father's age if living and state of health	Father's age at death and cause of death	Number of brothers living, their ages and state of health	Number of brothers dead, their ages at death and cause of death
Mother's age if living and state of health	Mother's age at death and cause of death	Number of sisters living, their ages and state of health	Number of sisters dead, their ages at death and cause of death

9.	Please state whether you have deposited the Medical Examination Fee in the Government Treasury under head "0210–Medical and Public Health–80–General–800–Other Receipts–02–Examination and License Fees" according to the status of the post against which you have been appointed. If so, state the amount and the Treasury receipt No. and date.	
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I declare all the above answers to be, to the best of my belief, true and correct.

I also solemnly affirm that I have not received a disability certificate pension on account of any disease or other condition.

Candidate's Signature _____

Signed in my presence

Signature of Medical Officer

Note.–The candidate will be held responsible for the accuracy of the above statement. By wilfully suppressing any information he will incur the risk of losing the appointment and, if appointed, of forfeiting all claims to Superannuation allowance or gratuity.

CHAPTER IV

PAY

GENERAL

4.1. (1) Subject to the rules contained in this Chapter, a competent authority may fix the pay of a Government employee, but his pay shall not be so increased as to exceed the pay sanctioned for his post without the sanction of the authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased:

Provided that the Government employee except a member of service of the Punjab Civil Service (Judicial Branch), specialist doctors and the employees covered under clause (a) of rule 4.4, shall be entitled to receive the fixed monthly emoluments, during the period of his probation:

Provided further that when the services of a Government employee, who was receiving fixed monthly emoluments during the period of probation are confirmed, the period spent on probation by him, shall not be treated to be the time spent on the time scale applicable to his post.

Explanation.—The expression “fixed monthly emoluments” means the amount drawn monthly by a Government employee equal to the minimum of the pay band of the service or post to which he is appointed and shall not include grade pay, special pay, annual increment or any other allowance, except travelling allowance drawn with reference to the grade pay of the relevant service or post. It shall also not include any other emoluments which may be specifically classed as part of pay by the competent authority, as provided in rule 2.44(b).

(1A) The provisions of sub-rule (1), shall have effect notwithstanding anything inconsistent therewith contained in these rules or other rules for the time being in force.

(2) Notwithstanding the restriction referred to in or imposed by clause (1) above, a competent authority may grant to any Government employee:—

- (i) personal pay as defined in clause (a) of rule 2.47, or
- (ii) special pay as defined in rule 2.52 or
- (iii) both personal pay and special pay.

Note 1. Omitted.

Note 2. Omitted.

Note 3.— (a) The following principles should be strictly observed for the grant of personal pay as defined in rule 2.47:—

[4.1-4.4] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

No application for the grant of compensatory personal pay should be entertained unless—

- (i) the Government employee's service has consistently been of exceptional merit;
- (ii) the Government employee is fit for promotion, but there is no normal avenue of promotion within his line, and
- (iii) the Government employee has been at least 5 years on the same pay, or if his pay is progressive, on the maximum pay of his post and that he must have put in 20 years of continuous Government service.

(b) The mere fulfilment of the conditions mentioned above should not be regarded as securing a personal pay to a Government employee as a matter of course, the purpose of the conditions being to enable obviously weak claims to be summarily rejected.

(c) Individual cases of Government employees who hold isolated posts which form a cadre by themselves in a particular office, will not be covered normally under this rule.

4.2. Omitted.

4.3. In respect of any period treated as duty under rule 2.16 (b), a Government employee may be granted such pay as the competent authority may consider equitable

but in no case exceeding the pay which the Government employee would have drawn had he been on duty other than duty under rule 2.16 (b).

Explanation 1. Omitted.

Explanation 2. Omitted.

Note. Omitted.

FIXATION OF INITIAL PAY

4.4. The initial substantive pay of a Government employee who is appointed substantively to a post on a time-scale of pay is regulated as follows:—

- (a) If he holds a lien on a permanent post, other than a tenure post—
 - (i) when appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of rule 4.13) than these attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;
 - (ii) when appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay plus personal pay equal to the difference; and in either case will continue to draw that pay until such time as he would have

received an increment in the time-scale of the old post or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum of the time-scale of the new post is higher than his substantive pay in respect of the old post he will draw that minimum as initial pay;

- (iii) when appointment to the new post is made on his own request under rule 3.17 (a) and maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.

Note. Omitted.

(b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale, on appointment in Government service in the case of member of Punjab Civil Service (Judicial Branch), specialist doctors and on completion of probation in other cases:

Provided both in cases covered by clause (a) and in cases, other than cases of re-employment after resignation or removal or dismissal from the public service, covered by clause (b), that if he either –

- (1) has previously held substantively or officiated in –

- (i) the same post, or
 - (ii) a permanent or temporary post on the same time-scale, or
 - (iii) a permanent post other than a tenure post or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time-scale; or
- (2) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated, then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44(b), which he drew on the last such occasion, and he shall count for increments the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay. If, however, the pay last drawn by the Government employee in a temporary post has been inflated by the grant of premature increments the pay which he would have drawn but for grant of these increments shall unless otherwise

ordered by the authority competent to create the new post, be taken for the purposes of this proviso to be the pay which he last drew in the temporary post.

The service rendered in a post referred to in proviso (1) (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below:—

- (i) The Government employee should have been approved for appointment to the particular grade/post in which the previous service is to be counted;
- (ii) all his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which benefit is to be allowed or in higher posts, whether in the department itself or elsewhere, and at least one junior was holding a post in the Department carrying the scale of pay in which the benefit is to be allowed; and
- (iii) the service will count from the date his junior is promoted and the benefit will be limited to the period the Government employee would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

The previous service rendered in the same post on identical time scale or a post having identical two/three/four tier scales of pay or in which time bound placements or grant of higher pay scales are provided as in the new post in a Government Department shall, in addition to the protection of pay actually drawn in the corresponding scale under the rule, count his previous service in the cadre of transferee Department for the purpose of Assured Career Progression Scheme as per instructions issued by the Punjab Government from time to time. This benefit is allowed to the junior employee as a measure personal to him and without creating any right for the senior employee to claim equality in pay and pay scale with junior who receives higher pay/pay scale due to his previous service and such employee will not be entitled to take benefit of his previous service towards seniority.

(c) (i) Notwithstanding anything contained in these rules, where a Government employee holding a post in a temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above his pay drawn by him in the lower post provided it is certified by the Head of the Department in which the Government employee was holding the lower post that he would have continued to officiate in the lower post but for his promotion/appointment to the higher post:

Provided that if a Government employee either –

(a) has previously held substantively or officiated in –

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale, of

(iii) a permanent post other than a tenure post, or a temporary post

(including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an

identical time-scale ; or

(b) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated ;

then proviso to rule 4.4 (b) shall apply in the matter of the initial fixation of pay and counting of previous service for increment.

(ii) The provisions of sub-rule 2 of rule 4.14 shall also be applicable in any case where the initial pay is fixed under this clause. In cases, where a Government employee is, immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the

time scale of the higher post shall be fixed in the same manner as provided in sub-clause (1) above.

Explanation.—Reversion to the ordinary cadre of service from a tenure post included in that cadre or from a tenure or special post not included in it, does not constitute substantive appointment to a post for the purpose of this rule.

Note.—For the purposes of rule 4.1 and 4.4, a specialist doctor shall mean a M.B.B.S. doctor, who possesses a Post Graduate degree in any medical speciality, or a Post Graduate diploma in the specialities of Radiology, Anaesthesia, Paediatrics, Gynaecology and Psychology.

Note 1.—When a Government employee is appointed to a higher post on the date on which his increment in the lower substantive post falls due, his substantive pay for the purpose of fixing his initial pay in the higher post shall be inclusive of his increment accruing on that date.

Note 2. Omitted.

Note 3.—When the next increment in the time-scale of either the new or old post falls due, the Government employee should draw the next increment in the time-scale of the new post, and forthwith lose the personal pay allowed under clause (a) (ii) of this rule and all connections with the time-scale of his old post. The personal pay is given to a Government employee only for the purpose of initial pay and not any subsequent stage in the new time-scale in which the Government employee might draw less pay than he would have drawn had he remained in the old time-scale.

[4.4] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

Note 4. Omitted.

Note 5.— See also notes 3 and 4 under rule 4.6.

Note 6.—Under rule 4.4 and 4.13, it is necessary for the purpose of fixing the initial pay of a Government employee transferred from one post to another on a different scale of pay in a substantive or officiating capacity, to determine the degree of responsibility attaching to the two posts. A declaration as to the relative degree of responsibility shall, therefore, be necessary and will be given by the competent authority. Such declarations will, however, be necessary only in cases where there is some doubt as to the relative degree of responsibilities attaching to the two posts.

Note 7.—The intention underlying the restrictive sub-clause of the proviso to clause (b) of this rule is to prevent men, who were given enhanced rates of pay when competition in the labour market was keen and qualified men scarce, from carrying the inflated pay with them after those conditions had abated to any other posts to which they might be appointed. Accordingly this sub-clause applies even in the case of a temporary Government employee who is appointed to another temporary post on the abolition of his previous temporary post or for other reasons. In the latter case, however, when the transfer has been made in the interest of public service, the restriction in question may be relaxed by the authority competent to create the post.

The word “minimum of the scale” appearing in the restrictive sub-clause of the proviso should be taken to mean the minimum of the previous post in which the advance increments were granted.

Note 8.—It is permissible to post-date the substantive promotion of a Government employee to a higher post up to a date when it will be to his benefit to be promoted under the operation of this rule. This date may be selected at the option of the Government employee concerned, which must be exercised within six months from the date of order making the promotion and when once exercised must be final. No compensation will be given for any consequences which may follow from the exercise of this option. When the

option has been exercised, an entry should be made to this effect in the service book of the Government employee concerned and attested by the Head of the Office.

These orders will apply to promotions in the same class of appointments and not to cases where there is complete change in the nature of the appointment and they should be confined to departments or establishments divided into grades.

For so long as the promotion is deferred under the orders in paragraph 1 above, the place in the employee grade will remain vacant, but promotions can be made in the place of the Government employee who would have been promoted from the date, the vacancy originally occurred as if the promotion had actually taken place on that date. All that would happen is an excess appointment in the lower grade against a vacancy left unfilled in the higher grade and this is permissible under rule 7.15 of the Punjab Financial Rules, Volume I.

Note 9. Omitted.

[Chap. IV]

PAY

[4.4]

Note 10.—In those cases, where there is some doubt as to the relative degree of duties and responsibilities attaching to the two posts, the same shall be determined by keeping in view the following factors:—

(i) the relative degree of duties and responsibilities of two posts shall be determined with reference to the entry scale of the post held by an employee. The higher scale or higher grade pay granted to an employee on such post under an Assured Career Progression Scheme or otherwise, shall not be taken into account;

(ii) a post having the lower minimum of the entry scale of pay or lower grade pay, shall generally be considered the lower post as compared to a post carrying higher minimum of time scale or higher grade pay; and

(iii) where the entry pay scales of both the higher and lower posts are identical, the higher and lower posts shall be determined by the Administrative Department in consultation with the Department of Finance.

FIXATION OF INITIAL PAY UNDER THE REVISED PAY STRUCTURE

4.4-A. Subject to the provisions of rule 4.4, the initial pay of a Government employee, who is governed by the revised pay structure, is regulated as follows:—

(i) when appointment to the new post involves the assumption of duties or responsibilities of greater importance than those attaching to the old post on which he holds a lien, his initial pay shall be fixed by granting him the benefit of one increment and the grade pay of the new post;

(ii) when appointment to the new post does not involve duties and responsibilities of greater importance he shall draw as initial pay, which is equal to the substantive pay in respect of the old post. However, the higher grade pay, if any admissible under this clause shall be absorbed at the time of grant of benefit of fixation of pay under an Assured Career Progression Scheme; and

(iii) when a Government employee is appointed to a post carrying lower grade pay on his own request under rule 3.17(a), his initial pay shall be fixed equal to the pay-in-pay band drawn by him in the old post plus the grade pay of the new post. However, if the maximum of the pay band in the time scale of lower post is less than his substantive pay in respect of the old post, his initial pay shall be fixed equal to the

maximum of the pay band plus the grade pay of the new post.

Explanation.—The expression “revised pay structure” means the pay structure consisting of running pay bands and grade pay which came into force with effect from the 1st day of January, 2006 under the provisions of the Punjab Civil Services (Revised Pay) Rules, 2009.

Note.—The pay of the Government employees, who are promoted in the higher grade, shall continue to be regulated in accordance with the provisions of rule 11 of the Punjab Civil Services (Revised Pay) Rules, 2009.

[4.5-4.5A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

4.5. The initial substantive pay of a Government employee who is appointed substantively to a post on a time-scale of pay which has been reduced for reason other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by rule 4.4: Provided, in cases, other than cases of re-employment after resignation or removal or dismissal from the public service, covered by clause (a) or clause (b) of that rule if he either –

- (1) has previously held substantively or officiated in –
 - (i) the same post prior to reduction of its time-scale, or
 - (ii) a permanent or temporary post on the same time-scale as the unreduced time scale of the post, or
 - (iii) a permanent post other than a tenure post, or a temporary post, on a time-scale of pay identical with the unreduced time scale of the post, such temporary post being on the time-scale as a permanent post, or

(2) is appointed substantively to a tenure post, the time-scale of which has been reduced without a diminution in the duties or responsibilities attached to it, and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post, then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44(b), which he would have drawn under rule 4.4 on the last such occasion, if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasion: Provided that service rendered on pay at a stage in a time-scale which is less than the minimum of the revised scale shall not count for increment in that scale.

Note 1. Omitted.

4.5-A. (1) Notwithstanding anything contained in these rules, the following provisions shall govern the pay of a Government employee who is appointed as a probationer in another Service or cadre, and subsequently confirmed in that Service or cadre –

(a) during the period of probation he shall draw pay at the minimum of the time-scale or at the probationary stages of the time-scale of the service or post, as the case may be:

Provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien, should at any time be greater than the pay fixed under this clause, he shall draw the presumptive pay of the permanent post;

[Chap. IV]

PAY

[4.5A-4.6]

(b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government employee shall be fixed in the time-scale of the Service or post in accordance with the provisions of Rule 4.4.

(2) The provisions contained in sub-rule (1) shall apply *mutatis mutandis* to cases of Government employees appointed on probation with definite conditions against temporary posts in another Service or cadre where recruitment to permanent posts of such Service or cadre is made as probationers, except that in such cases the fixation of pay in the manner indicated in clause (b) of sub-rule (1) shall be done under Rule 4.14 of these Rules immediately on the expiry of the period of probation and on regular officiating appointment to a post, either permanent or temporary in the Service or cadre.

(3) Notwithstanding anything contained in these rules, a Government employee appointed as an apprentice in another Service or cadre shall draw –

(a) during the period of apprenticeship, the stipend or pay prescribed for such period provided that if the presumptive pay of the permanent post, other than a

tenure post, on which he holds a lien, should at any time be greater than the stipend or pay fixed under this clause he shall draw the presumptive pay of the permanent post;

(b) on satisfactory completion of the apprenticeship and regular appointment to a post in the Service or cadre, the pay as fixed in the time-scale of the Service or post under Rule 4.4 or 4.4 (c) or 4.14 of these Rules.

4.6. The holder of a post the pay of which is changed shall be treated as if he were transferred to a new post on the new pay; subject to such restrictions as the competent authority may in each case lay down.

Note 1.—This rule applies to an officiating as well as to a substantive holder of a post.

Note 2.—If the maximum pay of a post is altered with no change in the rate of increment and the minimum, the initial pay of the holder of that post should be fixed under rule 4.4 (a) (ii) and not under rule 4.4 (a) (i) even though he may be holding the post substantively. See also note 4 below.

Note 3.—For the purpose of rules 4.4 and 4.6 a temporary post on a certain rate of pay (fixed or time-scale) which is converted into a permanent post on the same or a different rate of pay is not the “same post” as the permanent post even though the duties remain the same. In other words in view of rule 2.58, the temporary post is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post, is thus entitled only to the pay of permanent post if it is on a fixed rate of

pay or to the minimum pay of the time scale of the permanent post if it is on a time-scale unless his case is covered by the concession admissible under proviso (i), (ii) and (i), (iii) to rule 4.4. Consequently, service in a temporary post, created on a certain scale of pay when converted into a permanent post on a different scale or pay, will not count for increments in the latter scale.

[4.6-4.8] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

Note 4.—The orders in note 3 above do not refer to cases of transfer from one temporary post to another such post or from a temporary post to a permanent post. Nor do they debar service in a temporary post, created as an addition to a cadre, and on the same time-scale, from counting towards increments in a permanent post in that cadre even after such a temporary post has been abolished.

INCREMENTS

4.7. An increment shall ordinarily be drawn as a matter of course, unless it is withheld. An increment may be withheld from a Government employee by a competent authority if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

Note.—In the case of an officer/official who does not fulfil the basic condition laid down in the respective Service Rules regarding the minimum number of years of service, in the lower rank and who is promoted to a higher post by invoking an alternative provision in the

relevant rules specifying the extent of relaxation of the basic condition, referred to above, the initial pay in his case would be the minimum of the post to which he is promoted/appointed till he fulfils the condition of completing the basic minimum period of service prescribed and the first annual increment will be granted after one year of the date of completion of the minimum length of qualifying service/experience, necessary for appointment to the service, cadre or the post. In other words for the purpose of 1st increment his appointment shall be deemed to have started on the date on which he completes the minimum qualifying service/experience, as is necessary for appointment to the service, cadre or the post concerned. This restriction will however not apply in cases where the officer/official was drawing pay more than the minimum of the higher post. In such cases pay shall be fixed in accordance with the provisions of rule 4.4 of these rules. The first annual increment in such a case also will, however, be granted after one year of the date of completion of the minimum length of qualifying service/experience.

ASSURED CAREER PROGRESSION SCHEME

4.8. A Government employee is entitled to the benefit of fixation of pay under the Assured Career Progression Scheme notified by the Government from time to time subject to such terms and conditions, as may be specified:

Provided that grant of benefit of such Scheme, shall also be subject to the following general terms and conditions:–

- (a) a Government employee, who forgoes promotion offered to him, shall not be eligible for benefits under the Assured Career Progression Scheme; and
- (b) only the Service which counts for seniority and increments in a cadre against a post, shall be reckoned for the grant of benefit under the Assured Career Progression Scheme.

[Chap. V]

PAY

[4.9]

4.9. The following provisions prescribe the conditions on which service counts

for increments in a time-scale:—

(a) All duty in a post on a time-scale counts for increments in that time-scale: provided that, for the purpose of arriving at the date of the next increment in that time-scale the total of all such periods as do not count for increment in that time-scale shall be added to the normal date of increment.

Note 1.— See also clause (e) of this rule.

Note 2.—In the case of a Government employee who, while officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under training, these periods of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction for which he is allowed the pay of the officiating post during such period.

Exception 1.—The period of training at Phillaur of probationary Inspectors and Sub-Inspectors of Police during which time they draw pay below the minimum rates in the time-scale of pay counts towards increments in the time-scales applicable to them.

Exception 2.—The period of training spent by Probationary Inspectors of Police in districts, during which time they draw pay below the minimum rates of the time-scales applicable to them, counts towards increments in such time-scales.

Note 3.—A period of overstay of leave does not count towards increments in a time-scale unless under rule 8.121 (b) it is converted into extraordinary leave and under the proviso to clause (b) below, the extraordinary leave is specially allowed to count for increments.

Note 4.—If a probationer, other than a probationer receiving fixed monthly emoluments, is confirmed at the end of a period of probation exceeding twelve months, he is entitled to claim retrospectively the increments, which but for his probation he would have received in the ordinary course. This provision is applicable only to cases where the normal probationary period itself is more than twelve months and not to the type of cases where the

normal probationary period of a probationer is extended on account of his failure to pass the departmental examination within the time limit prescribed for the purpose. In other words, in cases where the normal probationary period is itself more than twelve months, on confirmation the officer may be given the increments which he would have drawn but for his probation, and arrears in this regard may also be allowed to the officer. On the other hand, in cases where the period of probation is extended on account of failure to pass the departmental examination while there is no objection to the pay and increments being regulated on confirmation at the end of the extended probationary period on the basis of what the officer would have drawn but for his probation no arrears on this account should be allowed to him for the period prior to the date of confirmation. This would mean that the increment of the officer is withheld without cumulative effect for failure to pass the departmental examination and cannot be considered as a penalty within the meaning of Rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

[4.9] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

(b) (i) Service in another post other than a post carrying less pay referred to in clause (a) of rule 3.17, whether in a substantive, or officiating capacity, service on deputation out of India and leave except extraordinary leave taken otherwise than on medical certificate count for increments in the time-scale applicable to the post on which the Government employee holds a lien.

(ii) All leave except extraordinary leave taken otherwise than on medical certificate and the period of deputation out of India shall count for increment in the

time-scale applicable to a post in which a Government employee was officiating at the time he proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India:

Provided that the competent authority may in any case in which it is satisfied that the extraordinary leave was taken for any cause beyond the Government employee's control or for prosecuting higher scientific and technical studies, direct that extraordinary leave shall be counted for increments under clause (i) or (ii).

Note 1.—The period of annual holidays with wages corresponding to earned leave will count towards increments in the case of temporary workmen governed by the Factories Act in grades in which the appointing authority will in each case certify that the workman concerned would have actually continued to work in that grade, but for his proceeding on leave and the period of leave will count for increments only to the extent it is covered by the certificate. A permanent workman working in a higher grade in an officiating capacity may also count such leave towards increments in that higher post subject to the certificate in the case of temporary workmen.

Note 2.—In the case of Group 'C' and Group 'D' Government employees, whenever the requisite certificate under this rule is issued by the Administrative Authority, a very concise entry such as "Certificate under rule 4.9 (b) (ii) of the Punjab Civil Services Rules, Volume I, Part I issued for the period from _____ to _____ should be recorded after the entry regarding leave in the service book.

Note 3.—In the case of Government employees engaged on contract who are governed by the leave terms mentioned in appendix 16 in Part II of this Volume, certificate under rule 4.9(b)(ii) may be dispensed with where such officers are appointed on contract to specific posts and proceed on leave from these posts.

Note 4.—In the case of officers who are given contracts without specifying any particular posts and other contract officers, who, though appointed initially in specific posts, are transferred in an officiating capacity to other posts, and who proceed on leave thereafter, the certificate under rule 4.9 (b) (ii) will be necessary to count the period of such leave for increments in the posts which they hold in an officiating capacity immediately prior to proceeding on leave.

Note 5.—In the case of a Government employee proceeding on leave, where no officiating arrangement is made in the leave vacancy and the Government employee is likely to return to the same post after leave, the certificate that he would have actually continued to

[Chap. IV] PAY [4.9]
officiate in the post but for his proceeding on leave shall be issued by the leave sanctioning authority at the time of grant of leave.

In all other cases, the certificate shall be issued by the appointing authority.

Exception.—The above certificate in respect of all the employees of the Punjab Vidhan Sabha should be issued by the Secretary and in respect of the Secretary Punjab Vidhan Sabha by the Speaker, Punjab Vidhan Sabha.

Note 6.—In the case of temporary/officiating Government employees, a certificate that Government employee concerned would have continued to officiate in that post but for his proceeding on extraordinary leave is necessary and the period of extraordinary leave would count for increment only to the extent covered by the certificate.

Note 7.—Quasi permanent Government employees will be treated in the same way as permanent Government employee in respect of the specified post in which they have been declared quasi-permanent, but in respect of other posts in which they may be officiating the certificate of continued officiation as envisaged in clause (b) (ii) would be necessary as in the case of temporary Government employees.

(c) (i) If a Government employee, while officiating in a post or holding a temporary post on a time-scale pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post, shall, if he is re-appointed to the lower post or is appointed or reappointed to a post on the same time scale of pay count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the Government employee would have officiated in the lower post but for his appointment to the higher.

This clause applies also to a Government employee who is not actually officiating in the lower post, at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same scale of pay had he not been appointed to the higher post.

(ii) If a Government employee on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post subject to the conditions as are laid down for cases falling under proviso (i) (iii) to Rule 4.4 (b).

Note 1.—For the purpose of clause (c) of this rule, the officiating and temporary service in higher post will also include the periods or all leave, except extraordinary leave taken otherwise than on medical certificate, provided it is certified by the appointing authority that

[4.9- THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART [Chap. IV]
4.9A] I)

the Government employee would have actually officiated in the lower post but for proceeding on leave while officiating in the higher post.

Note 2.—These benefits shall also be extended to State Government employees officiating in higher posts or holding higher temporary posts under the Central Government.

(d) Foreign service counts for increments in the time-scale applicable to,—

(i) the post in Government service on which the Government employee concerned holds a lien, and

(ii) any post in the parent cadre on a lower scale of pay to which the Government employee is appointed on reversion from the ex-cadre post subject to the fulfilment of the conditions mentioned in proviso (1) (ii) to Rule 4.4 (b).

(iii) the post in Government service in which the Government employee was officiating immediately before his transfer to foreign service, for so long as as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service.

(e) Joining time counts for increment,—

(i) If it is under clause (a) or clause (c) of Rule 9.1, in the time-scale applicable to the post on which a Government employee holds a lien as well as in the time-scale applicable to the post, the pay of which is received by a Government employee during the period; and

(ii) If it is under clause (b) of rule 9.1 in the time-scale applicable to the post/posts in which the last day of leave before the commencement of the joining time counts for increment.

4.9-A. Notwithstanding anything contained in the foregoing rule, the annual increments shall be allowed with effect from the first day of the month in which they fall due under the normal rules regulating increments.

Note 1.—The increment of an employee on leave due on the first day of the month will be drawn from the date of resuming his duty on return from leave, because during leave the employee gets leave salary only.

Note 2.—In cases in which there is postponement due to employees proceeding on leave without pay which is not counted for increment, normal increment will be granted from the first day of the month in which the postponed increment, as worked-out under the existing rules and orders, falls.

Note 3.—In a case where the date of appointment of an employee is 19th December, 1975, he will be given increment on 1st December, 1976 before completing 12 months service.

[Chap. IV] PAY [4.9A-4.11]

Similarly, when he is promoted to a higher grade on 19th December, 1976 he will get increment on 1st December, 1977 before completing 12 months service in officiating grade.

Note 4.—The periods of service at the same stage count for increment. In regard to the point whether increment is to be allowed on the specific date when the employee completes one year's service at the same stage or on the first day of the month, when by counting those broken periods the date of next increment falls on a date later than the first day of the month

the increment will be payable from the first day of the month in which the next increment falls due, after counting the broken periods equal to one year, provided the Government employee has also been holding the post from the first day of that month to the date it falls due. In case he is not holding the post on the first day of the month, the increment will be granted from the date it falls due.

Note 5.—Where the normal increment is withheld for specific period and the period of such penalty expires after first day of the month, increment will be granted or restored from the date of the penalty ceases.

Note 6.—This rule is not applicable to advance or enhanced increments which are allowed as a result of passing of certain examinations. Such increments, if possible, will be governed by separate rules and orders.

4.10. Subject to any general or special orders that may be made by the competent authority in this behalf, an authority may grant a premature increment.

Note 1.—A proposal to grant an increment in advance of the due date should always be scrutinized with special jealousy as it is contrary to the principle of a time-scale of pay to grant an increment before it is due. Such a grant should not be made or advised except in very rare circumstances which would justify a personal pay to a Government employee whose pay is fixed.

Note 2.—The expression “scale of pay” represents the maximum of the scale which is to be taken into account for determining the authority competent to sanction increments rather than the stage of it.

Note 3.—The grant of premature increments to members of the Provincial Civil Medical Service is governed by the rules in Appendix XI to the Punjab Medical Manual.

Note 4.—In the case of increments granted in advance, it is usually the intention that the Government employee should be entitled to increments in the same manner, as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments, as a Government employee, who has so risen.

TRANSFER FROM A HIGHER TO A LOWER GRADE OR FROM A
HIGHER STAGE TO A LOWER STAGE

4.11. The authority which orders the transfer of a Government employee as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper:

[4.11- THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]
4.12]

Provided that the pay allowed to be drawn by a Government employee under this rule shall not exceed the pay which he would have drawn by the operation of rule 4.5 read with clause (b) or clause (c), as the case may be, of rule 4.9.

4.12. (1) If a Government employee is reduced as a measure of penalty to a lower stage in his time-scale, the authority, ordering such reduction shall state the period for which it shall be effective and whether, on restoration the period of reduction shall operate to postpone future increments and, if so, to what extent.

(2) If a Government employee is reduced as a measure of penalty to a lower service, grade or post, or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments, and if so, to what extent.

Note 1.—Having regard to the principle underlying rule 4.12, the question as to whether an increment falling due during the period of reduction should or should not be allowed is one necessarily to be decided with reference to the exact terms of the order of the punishing authority. If the Audit Officer feels any doubt about the intention underlying the orders of the punishing authority, he has simply to ascertain it and act accordingly.

Note 2.—If the reduction to a lower post or grade is for an unspecified or indefinite period, the pay of the Government employee, on re-appointment to the higher post or grade shall be regulated under the normal rules and not under rule 4.12.

Note 3.—(a) Every order passed by the authority imposing on a Government employee the penalty of reduction to a lower stage in a time-scale should indicate –

- (i) the date from which it will take effect and the period (in term of years and months) for which the penalty shall be operative;
- (ii) the stage in the time-scale (in terms of rupees) to which the Government employee is reduced; and

(iii) the extent (in terms of years and months), if any, to which the period referred to at (i) above should operate to postpone future increments.

It should be noted that reduction to a lower stage in a time-scale is not permissible under the rules either for an unspecified period or as a permanent measure. Also when a Government employee is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction. The period to be specified under (iii) should in no case exceed the period specified under (i).

(b) The question as to what should be the pay of a Government employee on the expiry of the period of reduction should be decided as follows:—

[Chap. IV]

PAY

[4.12-4.12A]

- (i) If, the order of reduction lays down that the period of reduction shall not operate to postpone future increments, the Government employee should be allowed the pay which he would have drawn in the normal course but for the reduction.
- (ii) If the order specifies that the period of reduction was to operate to postpone future increments for any specified period the pay of the Government employee shall be fixed in accordance with (i) above but after treating the period for which the increments were to be postponed as not counting for increments.
- (c) In order to ensure, that the object underlying Rule 4.12(1) of not allowing increments during the period of reduction is achieved, every order passed by a competent authority imposing on a Government employee the penalty of

reduction to a lower stage in a time scale should invariably specify that stage in terms of rupees to which the Government employee is reduced as in the following form :-

The _____ has directed that Shri _____ should be reduced to a pay of Rs. _____ for a period of _____ with effect from _____.

4.12-A. Where an order of penalty of withholding of increment of a Government employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review, the pay of the Government employee shall, notwithstanding anything contained in these Rules, be regulated in the following manner:-

- (a) if the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn;
- (b) if the said order is modified, the pay shall be regulated as if the order as so modified had been made in the first instance.

Explanation:-If the pay drawn by a Government employee in respect of any period prior to the issue of the orders of the competent authority under this rule is

revised, the leave salary and allowances (other than travelling allowance), if any, admissible to him during that period shall be revised on the basis of the revised pay.

Note.—In respect of cases falling under clause (a) of this rule, service rendered by the Government employee in the lower service, grade or post or lower time-scale or lower stage in the time-scale or at the stage the increment was withheld, from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority shall count for increment or for other purposes in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty. In respect of cases falling under clause (b) of this rule, such service from the date of imposition of the penalty by

[4.12A- THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART [Chap. IV]
4.13] I)

the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority, shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent, the modified order permits of such counting. For example, if an officer of a Group 'A' Service in the higher scale of pay of Rs. 15600-39100+5400 Grade Pay is reduced to a Group 'B' Service in the pay scale of Rs. 10300-34800+4400 Grade Pay, for a period of, say, two years, and if after six months, the order is modified by the appellate authority as reduction to the Group 'A' Service in the

lower scale of Rs. 10300-34800+5000 Grade Pay, the period of six months shall count for increment in the lower scale. If, on the other hand, the order of penalty is modified as reduction to a lower stage in the time-scale of Rs. 15600-39100+5400 Grade Pay, for a specified period or withholding of increment in that time-scale for a specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.

Administrative Instruction.—A permanent post vacated by reduction of a Government employee to a lower service, grade or post or to a lower time scale, should not be filled substantively until the expiry of a period of one year from the date of such reduction.

Where on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged.

If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.

PAY OF OFFICIATING GOVERNMENT EMPLOYEES

4.13. (1) Subject to the provisions of rules 4.22 to 4.24, a Government employee who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the post in which he is appointed to officiate is one enumerated in the schedule to this rule or unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post, other than a tenure post on which he holds a lien:

Provided that the competent authority may exempt from the operation of this rule, any service which is not organised on a time-scale basis and in which a system of acting promotions from grade to grade is in force at the time of the coming into force of these rules:

[Chap.	PAY	[4.13]
IV]		

Provided further that the competent authority may specify posts outside the ordinary line of a service the holders of which may, notwithstanding the provisions of this rule and subject to such conditions as the competent authority may prescribe, be given any officiating promotion in the cadre of the service which the authority competent to order promotion may decide and may thereupon be granted the same pay (whether with or without any special pay, if any, attached to such posts) as they would have received if still in the ordinary line.

(2) For the purpose of this rule, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post, other than a tenure post, on which he holds a lien, or on a scale of pay identical therewith.

Note 1.—The words ‘duties’ and ‘responsibilities’ used in this rule are to be interpreted in a wide sense as including besides the works to be performed the general responsibilities and liabilities incidental to being member of a particular service. See also note 7 below rule 4.4.

Note 2.—Omitted.

Note 3.—With reference to the 2nd proviso in clause (1) of this rule it has been decided not to issue a list of the posts of the kind referred to therein, but to deal, on its merits, with each case as it arises. In each case so dealt with, adequate safeguards should be laid down so as to prevent the tenure of posts outside the ordinary line of a service by unduly senior Government employees which might cause undue expense and be in other ways contrary to public interest and also to prevent Government employee from receiving the rate of pay attached to selection posts which they would have been regarded as unfit to hold if present in the ordinary line. This point should be carefully kept in view by the authority recommending a case for the declaration by the competent authority.

Note 4.— (i) Punjab Government have sanctioned the adoption of the following guiding principles for purpose of clarifying the position and for the working of the convention usually known as the “next below rule”:-

- (1) A Government employee out of his regular line should not suffer by forfeiting officiating promotion which he would otherwise have received, had he remained in his regular line.
- (2) The fortuitous officiating promotion of some one junior to a Government employee who is out of the regular line does not in itself give rise to a claim under the next below rule.
- (3) Before such a claim is established, it should be necessary that all the Government employees senior to the Government *employee who is out of the regular line have been given officiating promotion.*
- (4) It is also necessary that the Government employee next below him should have been given promotion, unless in any case the officiating promotion is not given because of inefficiency unsuitability or leave.

[4.13] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

- (5) In the event of one or more of the three bars mentioned above, of being applicable to the Government employee immediately below the Government employee outside his regular line, the same Government employee even more junior should have received officiating promotion and the Government employees, if any, in between that should have been passed over for one of these reasons.

(ii) The holders of special (interim) posts such as Secretaryship to a Governor or a State Government should be ready to accept loss of officiating promotion in a higher scale or grade to higher posts in the ordinary line for short periods, not exceeding three months, in consequence of their incumbency of special posts, and that when the stage is reached at which their retention involves loss of substantive or lengthy officiating promotions the proper course would be to make arrangements to enable them to be released from the special post rather than to compensate them for the loss of officiating promotion under the next below rule.

(iii) In cases where an officer is deprived of officiating promotion to a higher paid post owing to it being impracticable for the time being to release him from the special post outside the ordinary line no compensation shall be granted in respect of the first three months of his retention in the lower paid post unless the conditions of the next below rule as satisfied.

(iv) In cases where the period for which officiating promotion is lost exceeds three months the officer concerned may be granted the pay of the higher paid post for the excess period but arrangements should be made wherever possible to avoid depriving officers of lengthy period of officiating promotions.

(v) Save in exceptional circumstances, no officer to whom the next below rule would apply should be retained in a lower paid post for more than six months beyond the date on which he becomes entitled to officiate continuously in a higher post.

(vi) The expression "*posts outside the ordinary line of a service*" in the second proviso to rule also includes, besides ex-cadre posts, special posts outside the ordinary line, which are borne on the cadre of a service. Holders of such posts can be given the benefit of a declaration under that rule provided that the conditions precedent to the applicant of the next below rule are fulfilled in their case.

(vii) Cases of those holders of posts in the ordinary line, who may suffer loss of officiating promotion owing to it being impracticable to release them from their posts, can also be dealt with under the second proviso to rule 4.13 if the conditions precedent to the application of the next below rule are satisfied in any case.

(viii) In the case of officers, who in the public interest have to be deprived of officiating promotions whether they are serving outside the ordinary line or in the ordinary line and in which case the conditions laid down in the next below rule are not satisfied, the instructions contained in clauses (iii) and (iv) above will apply.

(ix) The benefit of officiating promotion under the *next below rule should be allowed subject to the fulfilment of the conditions only against promotions in a cadre in vacancies of more than 90 days duration*. In other words, the initial vacancy as well as subsequent

vacancies on the basis of which the benefit is to be continued should each be of more than 90 days duration. The benefit should not be allowed in respect of promotions against a chain of vacancies which taken together extend beyond 90 days.

ORDERS OF THE PUNJAB GOVERNMENT

In some instances claims have been supported for the protection of more than one officer in respect of a single officiating appointment in cases where a consecutive series of two or more officers in a cadre are on deputation to posts outside the regular line, and the officer next below them is promoted to officiate in a higher post in the cadre. In order to eliminate any doubt in the matter, it has been decided by Government that one officer and one officer only, namely, the most senior fit officer who is not debarred by the conditions prescribed for the application of the rule should be allowed the benefit under the "next below" rule.

In may happen that the senior most officer serving outside the regular line does not require to be protected under the 'next below' rule by his belonging to one or other of the types indicated below:—

- (i) An officer serving outside the ordinary line holds a post carrying a scale of pay identical with that of an administrative post in the ordinary line, and is, by virtue of a declaration in terms of the exception below rule 4.13; eligible for the pay and incremental benefits of the higher post in the ordinary line.

(ii) An officer outside the regular line holds a post (generally temporary) carrying better pay than the “identical” scale.

In such cases, the protection under the “next below” rule in respect of any one vacancy occurring in the regular line may go to the next senior most fit officer of the series serving outside the cadre who is not independently protected in respect of pay increment or pension by belonging to one or other of these types.

Note 5.—In the case of ministerial and other establishment in which there are no grades the proviso in clause (1) of this rule is intended to cover, where necessary, all cases of the grant of officiating allowances from one fixed rate of pay to another without change of duty.

Note 6.— (i) It is not intended that the phrase “outside the ordinary line of service” in the second proviso to clause (1) of this rule should be rigidly interpreted either as “outside the cadre of a service” or as “outside the ordinary time-scale.” The form of words adopted in this rule gives discretion to the competent authority in regard to a case where exceptional circumstances which could not be foreseen and provided for by rule, might arise.

(ii) The specification of a post under this proviso will enable a Government employee to count service in that post for increment in the grade in which he would have officiated, had he not been holding the specified post.

Note 7.—The pay of a Government employee officiating in a post the pay of which is subject to increase upon the passing of an examination or on the completion of a service is the pay which he would, from time to time, receive if he held the post substantively.

Note 8.—The pay of a Government employee officiating in a post the pay of which has been reduced from the next succession thereto is the reduced pay.

Note 9.—It is not the intention behind rule 4.14 under which the title to presumptive pay is always subject to the provisions of this rule that the presumptive pay of the post as determined by rule 4.4(a) (ii) be allowed as a matter of course. According to rule 4.13, where the officiating appointment does not involve the assumption of duties and responsibilities of greater importance it is not permissible for the Government employee to draw pay higher than his substantive pay (if any) in respect of a permanent post. In other words, while the Punjab Civil Services Rules are not prohibitive in respect of officiating promotions in such circumstances they, undoubtedly restrict the officiating pay to the substantive pay from time to time of the Government employee concerned.

The case of a Government employee without a permanent post and, therefore, having no substantive pay in respect of such a post, is however, different. Rule 4.13 being inapplicable in such cases, he is entitled to have his pay regulated exclusively under rule 4.14 read with rule 4.4 (b) but to check any extravagance in officiating pay in such cases, it is always open to the competent authority to take resort to the provisions of rule 4.16.

Note 10. Omitted.

Note 11.—A declaration by Government that a particular post involves more important duties or duties of a different character justifies the grant of officiating pay to a Government employee appointed to the post from another post in the same cadre.

Note 12.—Normally no pay higher than the substantive pay is admissible on an officiating appointment to a selection grade post which does not involve assumption of duties or responsibilities of greater importance except where such a post has been included in the Schedule to rule 4.13 of Punjab Civil Services Rules, Volume I, Part I. It has now been decided in relaxation of the provisions of rule 4.13 *ibid* that –

(i) officiating appointments to the Selection Grade may be permitted in such cases;

(ii) the pay in such cases may be fixed in the Selection Grade under the provisions of rule 4.4 (a) (ii) of the Punjab Civil Services Rules, Volume I, Part I, and that

(iii) the benefit of the “Next Below Rule” may be extended in such cases, subject to all the conditions of that rule being satisfied.

(iv) Pay of a Government employee, who on the date of his placement in the selection grade, was drawing pay, –

(i) at the maximum of the ordinary scale; or

(ii) at the maximum of the ordinary scale plus *ex-gratia* biennial increment, shall be

[Chap. IV]

PAY

[4.13-4.14]

regulated as follows, namely:–

- (a) pay shall be fixed at the next stage in the selection grade where pay at the maximum of the ordinary scale plus ex-gratia biennial increment, as the case may be, has been drawn for one year or more than one year;
- (b) period of service amounting to less than one year rendered at the maximum of the ordinary scale or at the maximum of the ordinary scale plus ex-gratia biennial increment, as the case may be, shall be counted for the purposes of increment in the selection grade; and
- (c) the next increment in the selection grade shall accrue after rendering the requisite qualifying service in the selection grade.

SCHEDULE

District and Sessions Judge, Selection Grade

4.14. (1) Subject to the provisions of Rules 4.13 and 4.16 a Government employee who is appointed to officiate in a post shall draw the presumptive pay of that post.

(2) On an enhancement in the substantive pay, as a result of increment or otherwise, the pay of such Government employee shall be re-fixed under sub-rule (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such re-fixation is to his advantage.

Note 1.—See also notes 7 and 8 below rule 4.13.

Note 2.—In the case of a Government employee whose officiating pay on refixation under clause (2) of this rule carries his pay above the efficiency bar stage in the time-scale of the officiating post, the Government employee concerned should be deemed to have automatically crossed the efficiency bar at the time of relaxation of officiating pay and the

question of application of efficiency bar shall not arise. In the case of a Government employee officiating in a post and whose pay had been re-fixed under clause (2) of this rule, if he is confirmed in that post from a retrospective date, the re-fixation of pay done under clause (2) above after the date of his confirmation will have to be revised and consequently over payments, if any, should be recovered.

Note 3.—In the case of a person proceeding on leave, if the period of leave counts for increment in the officiating post under rule 4.9 (b) subject to the fulfilment of the conditions and production of the necessary certificates, his officiating pay may be re-fixed under rule 4.14(2) from the very date of increment or increase in the substantive pay as if he was appointed to officiate in that post on that date. The benefit of the increase in officiating pay can be had by him only from the date of resumption of duties but his next increment in the officiating post will accrue to him from an earlier date in the next year calculated with reference to the date of re-fixation of pay.

If, however, the period of leave does not count for increment, in the officiating post, the Government employee loses all connection with that post during that period and he will be

[4.14-4.16] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]
entitled to get his officiating pay fixed only from the date he returns from leave in which case the next increment will fall due only after completion of the prescribed period of duty from the date of resuming charge unless he becomes entitled to re-fixation of pay under rule 4.14 (2) once again from an earlier date.

Note 4.—Where the increment of a Government employee in the post in which he is officiating has been withheld under rule 4.7 without any reference to the increments that will accrue to him in the post held by him substantively, the provisions contained in sub-rule (2)

of this Rule shall not apply before the date from which the orders withholding the increment finally cease to be operative. However, the Government employee may be allowed during the period of penalty of withholding of increment, his substantive pay from time to time if the same happens to be more than the officiating pay.

These provisions shall also apply in respect of a Government employee whose pay in the post held by him in an officiating capacity has been withheld at a particular stage or the efficiency bar stage of the time-scale of that post for failure to pass a departmental examination.

Note 5.—The pay of the Government employee who was not actually officiating at the time of enhancement of his substantive pay, but would have officiated under the 'next below rule', but for his deputation to some other post/officiating appointment to a still higher post, shall be re-fixed under clause (2) above notionally in the post in which he would have continued to officiate but for his deputation to some other post/appointment in an officiating capacity to a still higher post. As and when the Government employee reverts to that post, from deputation/higher post, the actual pay to be given to him on the date of reversion will be arrived at with reference to such notional pay.

4.15. When a Government employee officiates in a post, the pay of which has been fixed at a rate personal to another Government employee, the competent authority may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the

lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.

Note 1.—This rule prescribes the initial rate of pay only. If the pay personally fixed is on a time-scale it is not intended that an officiating incumbent should be debarred from drawing increments in that time-scale according to the ordinary rules.

Note 2. Omitted.

4.16. A competent authority may fix the pay of an officiating Government employee at an amount less than that admissible under these rules.

Note 1.—One class of cases falling under this rule is that in which a Government employee merely holds charge of the current duties and does not perform the full duties of the post.

Note 2.—When a Government employee is appointed to officiate in a post on a time-scale of pay but has his pay fixed below the minimum of the time-scale under this rule he must

[Chap. IV] PAY [4.16-4.21]

not be treated as having effectually officiated in that post within the meaning of rule 4.4 or having rendered duty in it within the meaning of rule 4.9.

Such a Government employee, on confirmation, should have his initial pay fixed under rule 4.4 (b) and draw the next increment after he has put in duty for the usual period required, calculated from the date of his confirmation.

Note 3.—The power conferred by this rule is not exercisable save by a special order passed in an individual case and on a consideration of the facts of that case. A general order purporting to oust universally the operation of rule 4.14 would be *ultra vires* of this rule. Although, the practice of passing ostensibly special order on every individual case would not be *ultra vires* of this rule it would constitute the grossest possible fraud thereon.

4.17. A competent authority may issue general or special orders allowing acting promotions to be made in the place of Government employees who are treated as on duty under rule 2.16 (b).

Note.—Acting promotions have been permitted under this rule in place of Government employees who are treated as on duty under item 1 (i), of the Schedule to Chapter II.

PERSONAL PAY

4.18. Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased, shall cease as soon as his pay is increased by an amount equal to his personal pay.

4.19. Omitted.

PAY OF TEMPORARY POSTS

4.20. When a temporary post is created which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference

to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

4.21. When a temporary post is created which will probably be filled by a person who is already a Government employee, its pay shall be fixed by the competent authority with due regard to –

- (a) the character and responsibility of the work to be performed; and
- (b) the existing pay of Government employees of a status sufficient to warrant their selection for the post.

Note 1.—Under these rules, special duty or deputation in India will not be recognised. A temporary post will be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Government employee then rules 4.20 and 4.22 will apply.

Note 2. Omitted.

[4.21-4.24] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IV]

Note 3.—(1) Temporary posts may be divided into two categories, viz., posts created to perform the ordinary work for which permanent posts already exist in a cadre, the only distinction being that the new posts are temporary and not permanent, and isolated posts created for the performance of special tasks unconnected with the ordinary work which a service is called upon to perform. An example of the latter type of post would be a post on a Commission of enquiry. A distinction by strict verbal definition is difficult, but in practice there should be little difficulty in applying the distinction in individual cases. The former class of posts should be considered to be a temporary addition to the cadre of a service whoever may be the individual appointed to the post; while the latter class of temporary posts should be considered as unclassified and isolated ex-cadre posts.

(2) Temporary posts which by this criterion should be considered as temporary additions to the cadre of a service should be created in the time-scale of the service, ordinarily without extra remuneration. Incumbents of these posts will, therefore, draw their ordinary time-scale pays. If the posts involved decided increases in work and responsibility in

comparison with the duties of the parent cadre generally, it may be necessary to sanction special pay in addition. Such special pay may only be allowed with the approval of the competent authority.

(3) For isolated ex-cadre posts, it may occasionally be desirable to fix consolidated rates of pay. Where, however, the post is to be held by members of a service, it will ordinarily be preferable to create the post in time-scale of the holder's service. The observations contained in paragraph 2 above will apply with equal force to the grant of special pay over and above the ordinary time-scale.

COMBINATION OF APPOINTMENTS

4.22. The competent authority may appoint one Government employee to hold substantively, as a temporary measure or to officiate in, two or more independent posts at one time. In such cases, the Government employee shall draw the highest pay to which he would be entitled if his appointment to one of the posts stood alone:

Provided that the employee must fulfil the requisite qualifications and conditions for services for both the posts.

4.23. When a Government employee holds charge of the current duties of a post after being relieved of those of his substantive post, he officiates in that post. If it is not considered that he is entitled to the full officiating pay of the post, his pay may be fixed under rule 4.16. This should be done whenever the Government employee is not carrying out the full duties of the post.

Note. Omitted.

4.24. When a Government employee holds current duty charge of another post, in addition to that of his own substantive post, he does not officiate in the former post and as such is not entitled to any additional remuneration.

CHAPTER V

ADDITIONS TO PAY

I—COMPENSATORY ALLOWANCES

General

5.1. Subject to the provisions of rules 5.2 to 5.8 and to the conditions that the amount of compensatory allowance is so regulated that it is not on the whole a source of profit to the recipient, a competent authority may grant such an allowance to any Government employee.

Unless in this section it be in any case otherwise expressly provided and subject to the provisions of rule 4.22 a compensatory allowance attached to a post will be drawn in full by the Government employee actually performing the duties of that post and will not be drawn in whole or in part by anyone else. Save as provided by the rules in this part, a compensatory allowance attached to a post will cease to be drawn by a Government employee when he vacates the post.

Note 1.—Compensatory allowances to the personal staff of the Governor (including the Military Officers, if any), are regulated by the States Reorganisation (Governor's Allowances and Privileges) Order, 1957.

Note 2.—The grant of T.A. (which is also a compensatory allowance, vide rule 2.13) is regulated by the rules in Volume III of these rules.

5.2. In this section —

- (a) 'Leave' means total leave of all kinds, including extra ordinary leave, for a period not exceeding 180 days and leave preparatory to retirement not exceeding 300 days, but does not include terminal leave.

The title to compensatory allowance will remain intact–

- (i) when the original leave not exceeding 180 days is not subsequently extended, or if extended, the total does not exceed 180 days, throughout the period;
- (ii) when the original or extended leave not exceeding 180 days, referred to in sub-clause (i) is subsequently extended and the total period exceeds 180 days–up to the date of expiry of the original or extended leave not exceeding 180 days or the date of sanction to the first subsequent extension which causes the total period of leave to exceed 180 days, whichever is earlier.

[5.2-5.3] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

- (b) 'Temporary Transfer' means a transfer to duty in another station which is expressed to be for a period not exceeding 90 days. For the purpose of this section it includes deputation. Subject to the limit of 90 days, the title to compensatory allowance, if the temporary duty is subsequently

extended beyond 90 days in all, will remain intact upto the date of the orders of extension.

Note 1.—Unless in any case it be otherwise expressly provided in these rules, joining time may be added to the period of 90 days provided in this rule.

Note 2.—When vacation is combined with leave, the entire period of vacation and leave should be taken as one spell of leave for the purpose of clause (a) of this rule.

Note 3.—Omitted.

Compensatory allowances, other than a house-rent allowance.

5.3. An allowance granted owing to the expensiveness of living, other than a house-rent allowance, may be drawn—

(a) during 'leave' at the same rate at which the employee was drawing before proceeding on leave without the production of a certificate prescribed in sub-clause (ii) ;

(aa) during leave exceeding 180 days, but not exceeding 240 days—

(i) in case the employee suffers from T.B., Cancer or other ailments and furnishes a medical certificate in the form prescribed under rule 8.13.

The question whether the allowance may be paid to an employee suffering from T.B., Cancer or other ailments during leave, on medical

certificate exceeding 240 days will be decided on merit by the Administrative Department concerned in consultation with the Department of Finance ; and

- (ii) in case the employee certifies that he or his family or both resided for the period for which allowance is claimed at the station from which he proceeded on leave or at another station he will be entitled to similar allowance.

Where an employee does not join duty after the expiry of leave, whether on medical grounds or otherwise and resigns, he shall not be eligible for the allowance for the entire period of such leave and the allowance sanctioned earlier will be recovered before the resignation is accepted : Provided that in case of an employee who is granted leave but does not join duty after expiry of such leave, owing to death

[Chap. V]

ADDITIONS TO PAY

[5.3-5.5]

or invalidity during such leave, the recovery of allowance sanctioned earlier will not be effected.

Note 1.—The provisions of this clause do not apply to the case of industrial or other employees whose leave terms are governed by special orders and not by the Revised Leave Rules. In such cases, the compensatory allowance should be granted only during holidays or

leave with pay. For this purpose, a weekly holiday, where admissible, will be treated as a holiday with pay except when it forms a part of spell of leave without pay or holiday without pay.

Note 2. Omitted.

(b) during temporary transfer, if –

- (i) the authority sanctioning the transfer certifies that the Government employee is likely on the expiry of the temporary duty to return to the station from which he is transferred ;
- (ii) the Government employee draws no allowance of the same kind in the post to which he is transferred ; and
- (iii) the Government employee certifies that he kept his family, for the period for which the allowance is claimed, at the station from which he proceeded on transfer.

5.4. Omitted.

HOUSE RENT ALLOWANCE

5.5. (1) A house rent allowance may be drawn by a Government employee during leave or transfer in the circumstances specified in clause (a) or (b) of rule 5.3.

(2) The eligibility for the grant of the House Rent Allowance to a Government employee, shall be determined with reference to his place of posting.

(3) A Government employee shall, ordinarily, be required to reside within a radius of twenty-five kilometres from the headquarters. However, a competent authority may permit a Government employee to reside at a place beyond twenty-five kilometres from the headquarters:

Provided that the Government employee attends to his duties punctually and without detriment to his efficiency.

(4) Where a Government employee entitled to rent-free accommodation under rule 5.35, is not provided with such accommodation, he shall be entitled to draw an additional house rent allowance at the rate of five percent of his emoluments subject to

[5.5-5.6] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

the condition that he resides in a rented house within a radius of three kilometres from the place of duty.

Clarification: The house-rent allowance being a compensatory allowance may be allowed to be drawn by a Government employee under suspension like other compensatory allowances, subject to the conditions laid down in rule 7.2 (b), being satisfied. In the case of an employee whose period of suspension is treated as having been spent on leave, the grant of house-rent allowance will be regulated under the relevant provisions of rules 5.3 to 5.9 as in the case of other compensatory allowances.

Note 1.—The competent authority to permit residence of a Government employee beyond twenty-five kilometers of his headquarters, shall be the same as defined in the entries against Serial No. 2 of the Table below rule 15.1.

Note 2.—A Government employee who, on transfer, has been permitted to retain Government accommodation at the old station will be eligible for house-rent allowance, in respect of the new station, if otherwise admissible, without regard to the fact whether he has been permitted to retain the Government accommodation at old station on payment of normal rent or penal rent.

Note 3.—The word “emoluments”, in this rule has the same meaning as defined in rule 5.33.

CONVEYANCE ALLOWANCE

5.6. An allowance granted on condition that a conveyance is maintained, may be drawn during leave, if –

- (i) the authority sanctioning the leave certifies that the Government employee is likely, on the expiry of the leave, to return to the post from which he proceeds on leave, or to be appointed to a post in which the possession of the conveyance will be advantageous from the point of view of his efficiency; and
- (ii) the Government employee certifies that he continued to maintain the conveyance and that he spent the amount claimed on its upkeep during the period for which the claim is submitted,

For periods of temporary duty, it can only be drawn with the sanction of competent authority.

Note 1.–See note 1 below rule 5.3.

Notes 2, 3 and 4 Omitted.

Note 5.–When a conveyance allowance of a Government employee has been reduced during leave by the competent authority under this rule and the Government employee is transferred immediately on the expiry of leave to another post carrying a similar allowance

[Chap. V]

ADDITIONS TO PAY

[5.6-5.9]

then during joining time the allowance shall be granted at the rate at which it was drawn during leave.

5.7. A conveyance allowance to which the obligation of maintaining a conveyance is not attached is not admissible during leave or temporary transfer.

OTHER COMPENSATORY ALLOWANCES

5.8. A compensatory allowance other than an allowance for the regulation of which provision is made in any of the rules 5.3 to 5.7 may be drawn during leave or temporary transfer if –

- (a) the authority sanctioning the leave or transfer certifies that the Government employee is likely on the expiry of the leave or temporary transfer, to return to the post to which the allowance is attached or to another post carrying a similar allowance; and
- (b) the Government employee certifies that he continued, for the period for which the allowance is claimed, to incur the whole or a considerable part of the expenditure for which the allowance was granted.

Note 1.—See note 1 below rule 5.3.

Note 2.—With reference to clause (b) of this rule, a Government employee, who desires to avail himself of the benefit of the rule, should submit his claim with a statement of the relevant expenses to the authority sanctioning the leave or transfer. That authority should then decide, having regard to the provisions of rule 5.1 and 5.2 how much of the allowance should be drawn and communicate his decision to the Accountant-General with a copy of the statement of expenses referred to above. The copy of the statement of expenses may be sent to the Accountant-General, in a confidential cover, if this is considered desirable. It will then be open to the Accountant-General, either to accept the decisions or to challenge such of

them as reveal any manifest breach of the canons of financial propriety.–vide P.F.R. 2.10.The provisions of this rule do not apply to Government employees in receipt of the compensatory local allowance sanctioned for Amritsar in whose case the provisions of clause (b) of the rule will be applicable. In regard to the drawal of similar and other hill compensatory allowances during leave, it will suffice if it is certified by the Government employee concerned that he or his family or both resided at the hill station concerned for the period for which the allowance is claimed.

COMPENSATORY ALLOWANCE DURING JOINING TIME

5.9. A Government employee on joining time under rule 9.1 (b), if he is entitled to tentage while holding his old post and tentage is also attached to his new post, may draw tentage during joining time at the lower of the two rates.

[5.9-5.15] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

If the Government employee in his old post drew a compensatory allowance granted on account of special expensiveness of living and the transfer is to another post carrying a similar allowance, he may draw the compensatory allowance during joining time under clauses (a) and (b) of rule 9.1: Provided that if the rates differ in the two posts, he may draw the lower rate only.

5.10 to 5.12. Omitted.

II – RENT OF GOVERNMENT RESIDENCES

GENERAL

5.13. The following rules govern the allotment to Government employees for use by them as residences of such buildings owned or leased by Government or such portions thereof as may be made available for the purpose.

Note.—When a Government employee of a government, other than the Punjab Government, occupies by official arrangement a residence provided by the Punjab Government or *vice versa*, rent shall be recoverable from the Government employee in accordance with the rules in Appendix 4 to the Punjab Financial Rules.

5.14. Nothing contained in these rules shall so operate as to require payment of rent, for the occupation of residences supplied by Government, by those Government employees who have been exempted from such payment under the provisions of law or to affect the amount of rent or charges payable by those Government employees in whose case the amount so payable is prescribed by law for the time being in force.

Capital Cost of Buildings and Assessment of rents

(i) Capital Cost of a Residence.

5.15. For the purpose of the assessment of rent, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings, but exclude the cost or value of the site (including expenditure on its preparation); and shall be either –

- (a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or when this is not known,

(b) the present value of the residence:

Provided that, where it is so directed by general or special order, the value of the site and the cost of its preparation shall be included in the capital cost, and the cost of sanitary, water-supply and electric installations may be excluded. If the cost of sanitary, water-supply and electric installations is ordered to be excluded rent for such installations shall be levied at the rates specified under rule 5.23 (d).

[Chap. V]

ADDITIONS TO PAY

[5.15-5.18]

Note 1.— For cases in which the above proviso will apply, see paragraph 3.27, Punjab Public Works Department Code, 2nd Edition.

Note 2.—The cost of restoration or special repairs shall not be added to capital cost or present value unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

5.16. For the purpose of rule 5.15—

(i) expenditure incurred on works such as—

(a) raising, levelling and dressing sites;

(b) construction of revetments and retaining walls, unless when incurred in connection with the provision of a tennis court;

(c) storm-water drains; and

(d) boundary pillars;

shall be considered as expenditure on preparation of a site; and

(ii) expenditure incurred on works such as –

(a) compound walls, fences and gates;

(b) approach roads, culverts and paths within the compound;

shall be included in the capital cost of the residence for the purpose of assessment of standard rent.

5.17. When the present value of a residence and of the site on which it stands is unknown,—vide clause (b) of rule 5.15, the value of the residence and of the site shall be estimated separately by the Divisional Officer, who shall, if the estimated value of either does not exceed an amount to be specified by the Government, submit the estimate to the Superintending Engineer who shall determine the present value. If the Divisional Officer's estimate of either the site or the residence exceeds the amount so specified, he shall submit it to the Superintending Engineer, who shall forward it to the Chief Engineer, who shall determine the value of the residence and of the site. The Divisional Officer's estimate shall, in both cases be accompanied by a report of the Chief Civil Officer of the district in regard to the value of the land and also the value of the building with reference to the market value of similar building in the vicinity.

5.18. A competent authority may, for reasons which should be recorded, authorise a revaluation of all residences of a specified class or classes within a specified area to be conducted under rule 5.17 above, and may revise the capital cost of any or all such residences on the basis of such revaluation.

[5.18-5.22] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

Note.—The intention of this rule is to authorise revaluation of a residence or residences in accordance with rule 5.17 even when the factors specified in clause (a) of rule 5.15 are known.

5.19. The capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant, other than such as were actually charged direct to the work in cases in which the residence was constructed by Government, or (2) in other cases, the estimated amount of such charges.

Note.—Full departmental charges should be levied in cases referred to in note (1) below rule 5.15.

5.20. Renewals of a building or of its subsidiary works, such as out-houses, roads, drains, culverts, etc., or new construction such as retaining walls, necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity will be chargeable to the capital cost, but on completion a competent authority will decide what amount should be written off the original capital cost. When a portion

of a building required to be dismantled to make room for alterations and additions, the capital value of the dismantled portion should be dealt with under the rules in the Public Works Department Code applying to buildings generally.

5.21. A competent authority may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence –

- (1) When a portion of the residence must be set aside, by the Government employee to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business; or
- (2) When it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided.

Note.—See also rule 5.39.

5.22. In assessing the cost or value of the sanitary, water supply and electric installations and fittings (vide rule 5.15), the following shall be regarded as comprising the installations and fittings: –

Electric Supply

- (1) Wiring, including the supply line from the main and all connected apparatus such as fuse boxes and switches.

- (2) Fixed lamps (bracket and pendant) including shades, holders but excluding shades and bulbs.

[Chap. V]

ADDITIONS TO PAY

[5.22-5.23]

(3) Walls plugs of table lamps, table fans, and electric and water heaters.

(4) Fan points (excluding ceiling fans and regulators).

(5) Lightning interceptors.

(6) Metres when supplied by Government.

Sanitary and water-supply

(1) Pipe, including service pipe from the main;

(2) Apparatus for hot water supply;

(3) Cistern, taps and other necessary equipment;

(4) Baths, basins, and lavatory fittings;

(5) Metres when provided at the cost of Government;

(6) Drains, including the main connection with the sewer; and all connected

apparatus such as gulleys, channels, traps and vent pipe for the disposal

of

house wastes and sewage.

Note 1.—The inclusion of these articles in this rule does not bind Government to provide all or any of them in a residence.

Note 2.—When table lamps, table fans or other electrical appliances not included under “Electric Supply” above, have already been supplied, the cost should be included in the capital cost of the residence, but on their becoming unserviceable they should not be replaced, the capital cost of the residence being reduced accordingly.

(ii) Standard Rent

5.23. The standard rent of a residence shall be calculated as follows:—

- (a) In the case of leased residences the standard rent shall be the sum paid to the lessor *plus* an allowance for meeting during the period of lease the probable cost of charges for –
- (i) both ordinary and special maintenance and repairs of the residence as may be a charge on Government including maintenance and repairs of any additional work done at Government expense;
 - (ii) capital expenditure on additions and alternations as may be a charge on Government;
 - (iii) interest on capital expenditure referred to in (ii) above; and
 - (iv) the rates or taxes in the nature of house or property tax, if any, payable under any law or custom by the owner to a municipality or other local body (but not recoverable from the Government employee to whom the residence is allotted).

[5.23] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

The allowances for meeting such capital expenditure on additions and alterations as may be a charge on Government and the interest and depreciation in connection therewith, shall be as laid down in paragraph 3.22 (3) of the Punjab Public Works Department Code (Second Edition).

(b) In the case of residence owned by Government the standard rent shall be calculated on the capital cost of the residence, and shall be either –

(i) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by competent authority plus an addition for municipal and other taxes in the nature of house or property tax in respect of the residence payable by Government and for both ordinary and special maintenance and repairs, such addition being determined under rule 5.28; or

(ii) Seven and half per cent per annum of such capital cost, whichever is less. The restriction of seven and a half per cent per annum shall not apply in the case of residences the capital cost of which is calculated under the proviso to rule 5.15.

(c) In both cases mentioned in clauses (a) and (b) above standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above subject to the proviso that, in special localities or in respect of special classes of residences, a competent authority may fix a standard rent to cover a period greater than one month, but not greater than one year. Where a competent authority takes action under this proviso standard rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under rule 5.48 below bears to one year.

(d) When sanitary, water-supply and electric installations as defined in rule 5.22 are not included in the capital cost of residence rent shall be assessed on the capital value of such installations at the following percentages: –

	Interest	Maintenance	Depreciation
Sanitary Installations	} As per sub-rule (b)(ii) of this rule.	6½ percent (ordinary 5 per cent and special 1½ per cent)	....
Water Supply installations			
Electric Installations	Ditto	4 percent	5 percent

Note 1.—Municipal taxes which by local rule or custom are levied on the occupant will be payable by the occupant in addition to the rent payable to Government under these rules.

[Chap. V]

ADDITIONS TO PAY

[5.23-5.24]

Note 2.—See also rule 5.40 infra.

Note 3.—For the purpose of clauses (a) and (b) above, the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges, except to the extent allowed under rule 5.19, above. Full departmental charges should, however, be levied in cases referred to in note (1) below rule 5.15.

5.24. (a) When the standard rent of a residence has been calculated, minor additions and alterations may be made without the rent of the residence being increased subject to the following conditions:—

- (i) the total cost of such additions and alterations shall not exceed 5 per cent of the capital cost on which the standard rent was last calculated ; and
- (ii) such additions and alterations shall be made within five years after the last calculation on the standard rent.

(b) When by reasons of additions and alterations, the capital cost of a residence exceeds by more than 5 per cent the capital cost on which the standard rent was last calculated, the standard rent shall be recalculated with effect from the 1st of April, next following or from the date upon which a new tenant becomes liable for the payment of rent whichever is earlier.

(c) Subject to the provisions of clause (b) the standard rent of a residence shall be recalculated on the expiry of five years from the date of last calculations and the recalculations shall take effect from the 1st of April next following or from such other date as the competent authority may direct.

(d) When the portion of a capital cost of a residence is written off under the orders of a competent authority the rent should be recalculated forthwith.

Note 1.— It is the duty of the Executive Engineer to give timely notice to the tenant concerned of the increase in rent. Omission, however, on his part to give such intimation in any case will not constitute a reason for the enhancement of rent taking effect from a date later than that on which it is due under the above rule.

Note 2.—In the case of substantial additions or alterations to a residential building, pending sanction of the revised standard rent by the competent authority, its rent should be provisionally fixed so as to allow an adequate margin to cover rent in respect of the estimated expenditure of such additions or alterations and unforeseen charges, and recovery of rent from the tenant should be effected at that rate. If the provisional rent is more than the revised standard rent, the amount recovered in excess shall be refunded to the tenant.

Note 3.—The rental value, viz. Standard-Rent, Market-Rent and Economic-Rent of the Government owned property (Buildings etc.) and those of Government employees who live in their self-owned houses or houses owned by their parents or children and are claiming House-

[5.24-5.27] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]
Rent-Allowance therefor may be re-assessed after an interval of every 5 years. If an employee becomes entitled to claim higher rent of his property and consequential gain in House-Rent Allowance as a result of the general appreciation in the market value of properties or due to inflation; he will also draw proportionately less House-Rent, resulting thereby in reduction of House-Rent-Allowance, should there be a depression in the general market due to economic or other causes.

5.25. If a building is actually occupied prior to the closing of the accounts of expenditure on its construction, acquisition or equipment, rent is nevertheless chargeable from the date of occupation and should be fixed provisionally with the sanction of the competent authority. The rent, thus fixed provisionally while the accounts are open, is subject to revision with retrospective effect when they are closed and no remission of rent on this account can be made save with the sanction of the competent authority.

Note.—The provisions of note 2 below rule 5.24 also apply *mutatis mutandis* to newly constructed buildings.

5.26. Omitted.

5.27. The average annual cost of maintenance and repairs will consist of two parts-special and ordinary charges as explained below: –

- (i) Special charges will be those incurred in the renewal of floors of roofs or on other special repairs or replacements occurring at long intervals. Provisions for such charges should be made in the form of percentages on the capital cost of each building. These percentages will vary for different classes of buildings and are laid down in rule 5.28. When repairs are necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity, the cost of such special repairs should be shown separately in the Capital and the Revenue Accounts under Revenue

Charges during the year, and should not be included in the total charges or taken into account as a basis for the revision of the rent.

- (ii) Ordinary charges will include the cost of ordinary annual repairs together with a proportional share of the expenditure that may be required quardrennially or at other short intervals. The amount of these charges as regards buildings constructed or acquired by the Irrigation Branch is estimated as laid down in rule 5.28. For buildings constructed or acquired by the Buildings and Roads Branch these will be estimated within the limits laid down in rule 5.28 by the Executive Engineer of the Division and approved by the Superintending Engineer.

Note.— See also rule 5.20.

[Chap. V]

ADDITIONS TO PAY

[5.28]

5.28. The following percentages of cost will be assessed on account of ordinary and special repairs in calculating the standard rent under rule 5.23 (b) (i) :—

(1) When acquired or constructed through the agency of the Public Works Department, Irrigation Branch—

Class of buildings	Description	Assessable percentage on the Capital cost of the Building
--------------------	-------------	---

		Excluding value of site	
		Special repair.	Ordinary repairs.
A	Those in good order built by the Works Department in a semi-permanent style, i.e. with pucca foundation Kutcha-pucca outside walls, lime pointed pucca parapets and chimneys terraced jack arch or wooden karri roofs over steel girders.	$\frac{1}{2}$	$1\frac{1}{2}$
B	Those of a similar style of construction but not in good condition either built by the Public Works Department or purchased from private individuals and added to and altered after purchase.	$\frac{3}{4}$	2
C	Temporary buildings i.e. those with walls of mud masonry with a roof of thatch or tiles or wooden karries.	1	

(2) When acquired or constructed through the agency of the Public Works Department, Buildings and Roads Branch –

Class of Buildings	Description	Assessable Percentage on the Capital cost of the Building Excluding value of site	
		Special repairs.	Ordinary repairs.
A	Those in good order built by the Public Works Department in a semi-permanent style i.e. with pucca foundation Kutcha-pucca outside walls, lime pointed parapets and chimneys terraced jack arch or wooden Karri roof over girders.	½	1 to 3
B	Those of a similar style of constructions, but not in good conditions, either built by the Public Works Department or purchased from private individuals and added to or altered after purchase.	¾	3 to 5

C	Temporary buildings, i.e., those with walls of mud masonry with thatched or tiled roof.	1¼	5 to 7
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(3) A charge of 4½ per cent of the capital cost will be made in addition to the above to cover the maintenance of water-supply, sanitary and electric installations, where such exist.

Note.—With reference to the minimum and maximum rates fixed above for annual ordinary repairs Superintending Engineers of the Public Works Department, Buildings and Roads Branch, should arrange to communicate to the Accountant-General such percentages as are actually applied in fixing the standard rent in each individual case, so that the rents fixed may be susceptible of scrutiny.

(c) Conditions of Tenancy and Rent payable by Government employees.

5.29. When Government supplies a Government employee with a residence leased or owned by it, the following conditions shall be observed: —

(a) the scale of accommodation supplied shall not, except at the Government employee's own request exceed that which is appropriate to the status of the occupant;

[Chap. V]

ADDITIONS TO PAY

[5.29]

(b) unless otherwise expressly provided in these rules, he shall, except where the residence meant for one Government employee is shared by more than one Government employee, pay—

(i) rent calculated at the rate of five per cent of his monthly emoluments; and

- (ii) municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property tax.

Note 1.—Government employees who have been allotted (without their having asked for such allotment) accommodation of a lower category than to which they were entitled and if that accommodation carries standard rent less than five per cent of their emoluments shall be charged only standard rent for that accommodation. This note shall not apply in a case where a Government employee has himself asked for an accommodation of a lower category than to which he was entitled.

Note 2.— Shared accommodation has been categorised as follows: —

- (a) where the portions do not have independent amenities like kitchen, bath room and lavatory, etc., as in the case of sharing being done at Chandigarh; and
- (b) where a big residential building has been converted into independent portions provided with essential amenities like bath room, lavatory and kitchen etc.

Note 3.—In cases falling under category (a) of Note 2 above, —

- (1) at Chandigarh , where accommodation is shared by —
 - (i) two Government employees, each Government employee shall be charged rent at the rate of 2 ½ per cent of his monthly emoluments; and
 - (ii) Three Government employees, each Government employee shall be charged rent at the rate of 1 ⅔ per cent of his monthly emoluments.
- (2) at places other than Chandigarh, where the accommodation can be equally shared by two or three Government employees the principle of charging rent applicable in Chandigarh shall apply and where accommodation cannot be equally shared the rent shall be charged proportionately to the accommodation shared.

Note 4.—In cases falling under category (b) of Note 2 above, the residential accommodation shall be allotted to suitable category of Government employees according to norm of cost and space (to be calculated on the basis of Chandigarh norm and rates) and Government employees shall be liable to pay five per cent of their emoluments irrespective of the Standard rent.

Note 5.—The Government employees living in cheap (Katcha) houses or in sheds, which do not provide the minimum residential amenities, shall be charged standard rent or five per cent of their emoluments, whichever is less.

Note 6.—The leased accommodation shall be treated at par with the Government owned accommodation in the matter of charging of rent and the Government employees shall be charged at the rate of five per cent of their emoluments irrespective of the rent paid for it by the Government to the owner.

5.30. Notwithstanding anything contained in clause (b) of rule 5.29 above, Government may—

- (i) at any time, after the standard rents have been calculated, under the provision of rule 5.23 above, group a number of residences, whether in a particular area or of a particular class or classes, for the purpose of assessment of rent, subject to the following conditions being fulfilled: —
 - (1) that the basis of assessment is uniform; and
 - (2) that the amount taken from any Government employee shall not exceed five per cent of his monthly emoluments;
- (ii) by the general or special order provide for taking a rent in excess of that prescribed in rule 5.29 (b) above from a Government employee —
 - (1) who is not required or permitted to reside on duty at the station at which the residence is supplied to him; or
 - (2) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him; or
 - (3) who, is in receipt of a compensatory allowance granted on account of dearness of living; or
 - (4) who is permitted to sub-let the residence supplied to him; or
 - (5) who sub-lets without permission the residence supplied to him;
or

(6) who does not vacate the residence after the cancellation of allotment.

Note 1.—Under clause (ii) of this rule rent may be recovered in excess of five per cent of a Government employee's emoluments but not in excess of the standard rent as defined in rule 5.23.

Note 2.— If the rent of a building allotted to a Government employee is enhanced from a previous date, nothing shall prevent Government from effecting the recovery at the enhanced rate with retrospective effect.

5.31. A Government employee who, at his own request, is supplied with a residence owned or leased by Government of a class higher than that for which he is eligible or affording accommodation in excess of that which is appropriate to his status, shall unless otherwise decided by the competent authority, be charged the full standard rent as calculated under rule 5.23 et seq and shall not be given the benefit

[Chap. V]

ADDITIONS TO PAY

[5.31-5.33]

of the five per cent concession afforded by rule 5.29 (b).

5.32. Omitted.

5.33. For the purposes of clause (b) of rule 5.29 above “emoluments” means:—

- (i) Basic Pay and Non-Practising Allowance, wherever applicable;
- (ii) Payment from Government revenues and fees if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorised remuneration of a post;
- (iii) Omitted.
- (iv) Omitted.

- (v) Pension, other than a pension drawn under the provisions of Chapter VIII of Volume II of these rules or compensation received under the Workmen's Compensation Act, 1923, as subsequently amended;
- (vi) In the case of a Government employee under suspension and in receipt of a subsistence grant, the amount of the subsistence grant, provided that if such Government employee is subsequently allowed to draw pay for the period of suspension the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emoluments ultimately drawn shall be recovered from him.

Note 1.—The emoluments of Government employee paid at piece-work rate shall be determined in such manners as the competent authority may prescribe.

Note 2.— The emoluments of a Government employee on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

Note 3.— The amount of pension to be taken into account will be the amount originally sanctioned i. e. before commutation if any.

Note 4. Omitted.

Note 5.— Under clause (ii) above, fees received by a Government employee in the shape of a fixed addition to monthly pay and allowances as a part of the authorised remuneration of a post count as emoluments for the purposes of clause (b) of rule 5.29, where under rule 5.58 a part of any fee is required to be credited by the Government employee concerned to Government revenues and the remaining fees is retained by him, only that portion of the fees received by a Government employee which he is allowed to retain under the rules, will count as “emoluments” for the purpose of clause (b) of rule 5.29.

[5.34-5.35] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

5.34. The Government employee to whom a residence is allotted,—vide rule 5.46 et seq is responsible for the rent recoverable under the rules during the period of allotment unless exempted by competent authority under the provisions of rule 5.35.

Rent shall be recovered monthly in arrears for the period of allotment.

- (d) Rent-free accommodation and waiving or reducing the amount of rent.

5.35. In special circumstances, for reasons which should be recorded, a competent authority—

- (a) may, by general or special order, grant rent-free accommodation to any Government employee or class of Government employees; or
- (b) may, by special order, waive or reduce the amount of rent to be recovered from any Government employee or class of Government employees; or
- (c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any Government employee or class of Government employees.

Note 1.—The following are types of cases in which such exemption or reduction may be sanctioned:—

- (a) When a Government employee is performing the duties of a post, in addition to those of his substantive post and already pays rent for a house.
- (b) When a Government employee, in addition to the duties of a post, carries on those of another post which preclude him from occupying the house.
- (c) When a Government employee has been promoted or transferred to a post in the same station and it is not considered necessary that he should change his residence.
- (d) Omitted
- (e) When a Government employee officiating in a post for a period not exceeding two months is actually prevented from occupying the house provided for him by circumstances which the competent authority considers sufficient to warrant an exception being made in his favour.

Note 2.—When rents are fixed in accordance with rule 5.23 and when one or more Government employees supplied with residence in the particular areas are granted a house free of rent or at reduced rent, the proper course is to apply rule 5.23 that and rule 5.35 afterwards

that is the ordinary rent of the occupant of each house should be fixed under rule 5.23 and any reduction necessary should then be made under this rule.

Note 3.—A list of Government employees who have been granted rent free accommodation under this rule is given in Appendix 7.

[Chap. V]

ADDITIONS TO PAY

[5.36-5.39]

5.36. When, under clause (a) of rule 5.35, a Government employee is provided with quarters free of rent the exemption from rent shall, in the absence of any orders of Government to the contrary, be considered to be complete, i.e., no additional charge shall be made in respect of the rent of special services, i.e., sanitary, water-supply and electricity, in the building the cost of which has been included in the capital cost of the building.

The concession of rent-free quarters does not carry with it the free supply of water and electric energy, the cost of which must be defrayed by the Government employee himself. The rent of water and electric-meters the cost of which has not been included in the capital cost of the building is also payable by the Government employee.

Note 1.—The occupants of staff quarters and other buildings appurtenant to Government House are exempt from payment of charges for electricity consumed. As regards water charges see the “Exception” below the section “Water Charges” in rule 5.44.

Note 2.— See also rule 5.44

5.37. Omitted.

5.38. A competent authority may sanction remission of rent due for the occupation of a Government building when building is rendered uninhabitable by reason of extensive repairs being in progress, or from any other cause : Provided that if the occupier finds that the house has become uninhabitable he shall at once report the matter to the Executive Engineer in charge of the building, who will immediately inspect it and forward a report on the subject to the Superintending Engineer. The latter will take such steps in the matter as he

considers necessary, reporting his action to the competent authority, who will then decide whether partial or total remission of rent is to be allowed.

Note.—Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant remission of rent which should be granted only when extensive structural repairs justifying in the opinion of the competent authority in vacation of the building, are carried out.

5.39. When a building is occupied partly as a residence and partly as an office the capital value of the portion occupied as a residence should be separately estimated for the purpose of rule 5.23. The cost of maintenance of the residential portion should also be separately estimated and accounted for. This is usually done on the basis of plinth area.

Note.—When (a) separate office accommodation is provided for the occupant, and (b) the use of part of his residence for office or business purposes is optional, no deduction

[5.39-5.42] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

from the rent is permissible on this account. Where, however, a Government employee though provided with office accommodation elsewhere than in his residence is, in the opinion of the competent authority, obliged to set apart a portion of his residence, for the reception of visitors both official and non-official on business, a deduction from the rent is permissible on this account to the extent of half the assessed rent of the accommodation so used.

5.40. In leasing, acquiring or constructing an official residence for any one of the Government employees mentioned in column 2 of the statement in rule 5.42, Government will arrange to provide accommodation for visitors in the shape of a waiting room, and for a Commissioner or Deputy Commissioner-quarters for a police

guard. The accommodation so provided plus half of the room set apart for the reception of visitors will not be taken into account in calculating the standard rent fixed for such residence under rule 5.23.

Note 1.—Where waiting rooms have been set apart for visitors in residences of Group 'A' and Group 'B' Government employees entitled to rebate of rent under this rule, rebate will also be allowed for the portion of verandahs, if any, attached to the waiting rooms.

Note 2.—The guards quarters and visitors waiting room, with visitors Book shed, and half of the room set apart for the reception of visitors in the residence of the Honourable Chief Justice of the High Court are to be treated as non-residential portions for purpose of calculation of rent. Rebate of rent will be granted in respect thereof.

5.41. A rebate of rent will be allowed to the Deputy Collectors of the Irrigation Department for the room in their residential quarters occupied by peons when administrative requirements necessitate their living in the room provided in the quarters and it is not used for Deputy Collector's private purposes.

5.42. In the case of privately-owned buildings hired directly by the Government employee mentioned in column 2 of the statement below for use as residences, the following concessions will be admissible when suitable accommodation (other than a mere open verandah) for visitors or in the case, of Commissioner or Deputy Commissioner for a police guard, as the case may be, is set aside to the satisfaction of the authority mentioned in column 3 of the statement: –

- (i) The rent of the waiting room and half the rent of the room in which visitors are received and the rent of the quarters for the police guard will be borne by Government;
- (ii) The portion of the rent which is, thus, to be borne by Government on account of the waiting and reception rooms and quarters for the police guard will be assessed by the Executive Engineers concerned on the value

[Chap. V]

ADDITIONS TO PAY

[5.42-5.43]

of the accommodation in question. Its amount will bear the same proportion to the rent of the premises occupied as the space occupied by the accommodation provided bears to the total plinth area of the building.

- (iii) The portion payable for the waiting and reception rooms will be paid by the Executive Engineer to the landlord. He will also arrange with the Police Department for the portion payable for the quarters for the police guard being paid by that Department as a police contingent charge direct to the Government employee occupying the building.

STATEMENT

1	2	3
1.	Commissioners ...	} Commissioner of Division concerned.
2.	Deputy Commissioners ...	
3.	Settlement officers, Assistant Settlement Officers, Colonization and Assistant Colonization Officers.	
4.	Members of the I.A.S or P.C.S. in charge of Sub-Divisions.	
5.	Principal, Agricultural College.	...Director of Agriculture.
6.	Registrar, High Court of Judicature.	...Honourable Judges of the High Court.
7.	Inspector-General of Police, all Deputy Inspectors-General of Police, and all Superintendents of Police (except the Principal, Police Training School, the Personal Assistant to the Inspector- General of Police and the Assistant to the Inspector General, Special Branch)	Inspector-General of Police.
8.	Deputy Superintendent of Police placed in charge of Sub-Division.	Ditto.

5.43. Constant changes in the accommodation to be set apart for visitors are depreciated on principle, but so long as these changes are necessary and are made for sound reasons, Government employees concerned can set apart different rooms during summer and winter on condition that the accommodation set apart –

- (a) is to the satisfaction of their superiors;
- (b) is not less in area than that for which Government waives rent; and

[5.43-5.44] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

- (c) if in excess of that originally reserved, Government is not called upon to waive a large portion of the rent than that already fixed.

RENT FOR SPECIAL SERVICES

5.44. If a residence is supplied with services other than water supply, sanitary, or electric installation and fittings such as furniture, fans, tennis courts or garden, the cost of which is not taken into account in calculating the standard rent of the residence under rule 5.23 and which are maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under rules 5.29 to 5.32. The tenants will also be required to pay the cost of water, electric energy, etc. consumed. The additional rents and charges will be fixed and recovered in full as below. A competent authority may, however, in very special circumstances and for reason which should be recorded, waive or reduce the additional rent and charges for any of the special amenities referred to above.

Note 1.–The value of the site shall not be taken into account in calculating the rent of special services under this rule.

Note 2.–Where however, it is so directed by general or special order: –

- (a) The value of the site, and the cost of its preparation, shall be included in the capital cost of tennis courts and gardens.
- (b) Departmental charges shall be included in the capital cost of furniture, ceiling fans, tennis courts and gardens as well as their maintenance, depreciation and storage charges. The percentage rates for maintenance, depreciation and storage shall not be levied on the capital cost after the addition of departmental charges

Note.—Free furniture is provided in the quarter of the Private Secretary to the Governor, Punjab, at Raj Bhawan, Chandigarh.

CEILING FANS

The rent shall be recovered at the rate of 17 per cent per annum on the capital cost as detailed below and shall be recovered during the whole of the year –

	Rs.	
(a) Interest 4 per cent	..	
(b) Depreciation per cent	..	6½
(c) Maintenance per cent	..	4½
(d) Storage Charges cent	..	2 per

.. 17 per cent	Total	_____

(b) TENNIS COURT

Rent to be recovered for a tennis court should cover both interest on the capital outlay involved at the rate prescribed by the competent authority for the purpose of rule 5.23(b) and average actual maintenance charges for the past three years. The charges which may be incurred in connection with the provision and maintenance of tennis court are: –

A. In regard to courts in the plains –

- (1) construction of the court and of retaining walls where necessary;
- (2) surfacing of the court with bajri, grass, cement, etc., at the time of construction.

[5.44] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

B. In regard to courts in the hills –

- (1) and (2) as in section A above;
- (3) provision and erection of posts and wire-netting for the purpose of enclosing the court and of permanently fixed posts for suspending lawn-tennis nets;
- (4) provision and erection of fixture and appurtenances for hanging screens; and
- (5) maintenance of items 3 and 4 only.

Note 1.—The cost of providing and renewing tennis-sets, the marking of courts, the provision of screens, the maintenance of the surface of the courts and also the maintenance of items (3) and (4) in section B above, in so far as they relate to the courts in the plains, should, on no account, be admitted as a charge against the State.

Note 2.—For the purpose of these rules the maintenance charges shall be revised after every three years.

Note 3.—See also note under the head “Garden” below:—

(c) GARDEN

Both interest on the outlay incurred at the rate prescribed by the competent authority for the purposes of rule 5.23 (b) and actual maintenance charges should be recovered.

The cost of planting shade trees, shrubs and hedges in the compounds of residential buildings, of transporting soil in a portion of the compound meant for a garden, if the nature of the existing surface soil renders such transportation necessary in order to form a garden, of grassing plots, or sinking a well and of providing irrigation channels may be debited to public funds as capital expenditure on the residence and included in the capital cost thereof for the purpose of assessment of standard rent. The maintenance of shrubs and hedges and of grass plots shall be a liability of the tenant. The sale proceeds of timber shall be credited to Government.

Note.— If the capital outlay on the tennis court/gardens is not known, it may be determined by the Divisional Officer with reference to the market value of similar tennis-court/gardens in the vicinity.

[Chap. V]

ADDITIONS TO PAY

[5.44-5.45]

(d) WATER CHARGES

Charges for water supplied to tenants of Government residential buildings are assessed as follows:—

- (a) Every official occupying a Government quarters with a separate water connection must pay water charges including the meter rent as fixed by a municipality, District Board or the Public Health Department. No exception shall be granted in such cases.

- (b) Where quarters have not been provided with separate water connections and the occupants have to use outside, and technically public taps; no water charges should be recovered from them.

- (c) Where water tax as distinct from water charges is levied such tax is payable by tenants.

Exception.—This rule does not apply to Secretariat and Raj Bhawan employees occupying staff quarters and other buildings appurtenant to Raj Bhawan, Chandigarh.

CLASSIFICATION OF RESIDENCES

5.45. Government buildings intended for occupation as residences are divided into two classes:—

Class I. Buildings which will ordinarily be occupied by Government employees liable to pay the full standard rent subject to the limit of five per cent of their emoluments.

Class II. Buildings from which recovery of the full standard rent is not expected, that is, buildings which will ordinarily be occupied by Government employees who are entitled to accommodation rent free or at reduced rents under the sanction of competent authority.

Note 1.—The fact that a building in class I is occasionally occupied by a Government employee who is entitled to accommodation rent free, or at reduced rents, will not justify its removal from class I to class II, and similarly a building in class II should not be transferred to class I whenever it is occupied by a Government employee who may be required to pay the full standard rent (subject to five per cent of emoluments). Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made under the orders of the competent authority, and should have effect in all cases from the commencement of a financial year.

Note 2.—When a building in class II is occupied by any person who is not entitled to quarters rent free, the rent to be paid shall be fixed by the competent authority in general in accordance with the rules in this chapter.

Note 3.—In the Forest Department, Group ‘A’ and Group ‘B’ Government employees not entitled to rent-free accommodation are permitted to occupy quarters meant for free occupation on payments of rents to be assessed by the Public Works Department under the rules in this Chapter.

GENERAL RULES AND INSRUCTIONS REGARDING

ALLOTMENT OF RESIDENCE

5.46. The expression “allotted” means “provided” and a Government employee residing in a Government residence before definite allotment may be regarded as having been allotted that residence. Subject to the provision of rule 5.51-A, an incumbent, permanent or temporary, of a post for whose benefit a residence has been constructed, bought or leased is allotted that residence.

Note.—A residence will not be held to have been allotted to a Government employee who shares it by private arrangement with another Government employee to whom it has been allotted.

5.47. A Government employee shall not be considered to be in occupation of residence when he proceeds on leave unless the competent authority otherwise directs.

5.48. The period of allotment is determined as follows:—

- (a) If the house has been constructed, purchased or leased for the benefit of a particular post, it is the period of incumbency, permanent or temporary, of each Government employee in that appointment except in the case provided for in rule 5.51-A.

- (b) Otherwise it is for twelve months at a time, but terminates on his transfer from the place where he is stationed.

5.49. When during a twelve months tenancy, a Government residence is vacated owing either to the occupant's appointment having been altered or to his proceeding on leave, the residence should, when this is possible and always when occupation of the residence is a condition of the tenure or the appointment, be allotted to his successor in office and rent recovered accordingly.

[Chap. V]

ADDITIONS TO PAY

[5.49-5.50]

When a Government employee takes over charge of an office entitling him to occupy a Government residential building, he should, apart from the usual charge certificate on assumption of office, sign a supplementary certificate stating that he becomes responsible for the rent of the building from a given date. The relieved Government employees should similarly state that his responsibility has ceased. A copy of this certificate should be sent to the Accountant General and the Executive Engineer concerned to enable the former to exercise a check on the prompt recovery of rent and the latter to complete his records, etc. A Government employee will be held responsible for the rent until such date as he vacates the building and:—

- (a) after informing the Executive Engineer of the division in which the house is situated of the vacation, hands over the key to him; or

- (b) in the case of relief by another official, furnishes the Executive Engineer concerned with the certificate referred to above.

If an office does not carry with it any responsibility for the rent of a building, the supplementary certificate will be blank and will be signed with a line drawn across it.

5.50. A Government employee in occupation of a residence may sub-let it subject to the following conditions:—

- (a) the lessee shall be approved by the Chief Engineer, Public Works Department, incharge of the building;
- (b) the sub-tenancy shall not be recognised by Government;
- (c) the lessor shall remain personally responsible for the rent and for any damage caused to the residence beyond fair wear and tear;
- (d) the sub-tenancy shall terminate not later than the date on which lessor ceases to hold the post to which the residence has been allotted;
- (e) the rent payable by the lessee shall not, except with the previous sanction of Government, exceed the rent payable to Government by the lessor;
- (f) the rent payable to Government by the lessor shall be the rent payable by him, if he has not sub-let the residence or the rent payable by the lessee, if the residence had been allotted to him direct by the Government, whichever is higher;
- (g) in the case of sub-letting of a Government residence when the lessor is not entitled to rent-free quarter or house-rent allowance in lieu but the lessee is so entitled, the rent payable by the lessor, should be the rent payable by him, if he had not sub-let the residence or the rent payable by the lessee, if

the residence had been allotted to him direct by Government otherwise than free of rent, whichever is higher;

(h) when a Government residence is sub-let and the lessee and the lessor are, or the lessor is, entitled to rent-free quarters or house-rent allowance in lieu, the following procedure should be adopted in regard to the recovery of rent:—

(i) when both the lessor and the lessee are entitled to rent-free quarters or house rent allowance in lieu, the lessor will pay to Government an amount equivalent to the higher of the two house-rent allowances; and

(ii) when the lessor is entitled to rent-free quarters or house-rent allowance in lieu and the lessee is not so entitled, the lessor will pay to Government an amount equivalent to the house-rent allowance admissible to him or to the rent payable by the lessee if the house had been allotted to him direct by Government, whichever is higher.

Note 1.—Whenever a residence cannot be allotted to the incumbent of the post to which it is attached or to a Government employee of the class for which it was constructed it may be let to a Government employee not holding the particular post or not belonging to that class subject to the conditions that —

- (i) the allotment ceases within two months of a Government employee for whom the residence is intended becoming available at the station as a tenant, and
- (ii) the rent to be recovered under the rules from the temporary tenant is not less than two-thirds of the standard rent of the house.

A competent authority may relax the provisions of this note as a special case if considered necessary.

Note 2.—Where only a part of the residence is sub-let, the rent payable by the lessee shall not exceed the rent calculated on the basis of the plinth area occupied by him.

5.51. Omitted.

5.51-A. If a Government employee to whom a residence is allotted dies, is dismissed from the service or retires from the service, the allotment to him

of the residence shall be cancelled, with effect from two months after the date of his death, dismissal or retirement as the case may be, or with effect from any date after such death, dismissal or retirement on which the residence is actually vacated whichever is earlier. In such cases the recovery of rent should be governed by rule 5.29(b) i.e., while the original allotment subsists, rent should be charged at the same concessional rate as was being paid by the Government employee before his death, dismissal or retirement as the case may be. Similarly the concession of rent-free quarters, if it was granted in any case, should continue during the period of grace.

[Chap. V]

ADDITIONS TO PAY

[5.52-5.55]

5.52. In the case of residences under the control of the Forest Department these rules should be read as if the words "Public Works Department", "Chief Engineer, and Executive Engineer" were "Forest Department", "Chief Conservator of Forests" and "Divisional Forest Officer", respectively.

III-COMPENSATIONS

5.53 to 5.54. Omitted.

IV-HONORARIA AND FEES

HONORARIA

5.55. Subject to the condition prescribed in rule 5.56, a competent authority may grant or permit a Government employee to receive an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the competent authority and its amount has been settled in advance.

Note 1.—In a case where an honorarium is to be granted to a Government employee there must first be an order of competent authority permitting acceptance of the honorarium by the Government employee, and there must also be an order sanctioning the grant of the honorarium. In a case where an honorarium is to be granted to a Government employee belonging to a department other than the one which is to pay it there should, therefore, be two sanctions, one for the payment of the honorarium by the department in which the expenditure is to be incurred and the other for the acceptance of the honorarium which must be issued by the department to which the Government employee belongs. In order to avoid duplication of work in having to give two different sanctions, one single sanction should be given both to the grant and acceptance of the honorarium and this sanction should be given by the department paying the honorarium after obtaining the concurrence of the department in which the Government employee happens to be serving.

Exception.—A Government employee under the Punjab Government may accept remuneration up to any amount for work connected with an examination or examinations conducted by the Union Public Service Commission and up to the limit of Rs. 10,000 during a financial year for work connected with an examination or examinations conducted by the Punjab Public Service Commission or Subordinate Services Selection Board, Punjab, or the Director, Technical Education and Industrial Training, Punjab, without the sanction of the authority competent to permit the acceptance of a fee or honorarium by him. For the acceptance of honorarium in excess of Rs. 10,000 in the case of work connected with the examination or examinations conducted by the Punjab Public Service Commission or Subordinate Services Selection

[5.55-5.56] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

Board, Punjab or the Director Technical Education and Industrial Training, Punjab, sanction of the Punjab Government in the Administrative Department under which the Government employee concerned is serving is necessary.

Note 2.—The sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in rule 3.10 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

Note 3.—Note 2 above requires that the reasons for the grant should be recorded in writing as it is intended that the grant of an honorarium should be carefully controlled by Government and scrutinized by audit and that audit should be given an effective opportunity of comment if it be deemed necessary. Accountant-General may, therefore, require that the reasons for the grant of an honorarium should be communicated to him in each case.

Note 4.—The amount of an honorarium must be fixed with due regard to the value of the service in return of which it is given.

Note 5.—Temporary increase in work due to the holding of special conferences under the auspices of a department or subordinate authority or of inter-departmental committees are normal incidents of Government service and form part of the legitimate duties of Government employee according to the general principle enunciated in rule 3.10. Those so employed have, therefore, no claim to extra remuneration.

Note 6.—The grant of honorarium to the heirs of a deceased Government employee for work done by him is unobjectionable in audit.

Note 7.—No honorarium should be granted to Group ‘A’ and Group ‘B’ officers engaged on work in connection with the setting up of companies, corporations, etc. which forms a part of their normal duties even if they work beyond office hours.

5.56. When the service rendered falls within the course of the ordinary duties of the Government employee performing it, the test of special merit prescribed in rule 5.55 must be very strictly applied.

Note.—The expression “within the course of the ordinary duties” has been defined as follows:—

A service rendered by a Government employee is said to be within the course of the duties of that Government employee when it is of the same nature as that for which his regular employment exists. The test that should be applied in deciding any particular case is to determine whether the service rendered is such as the Government employee habitually performs in the course of his ordinary duties. A service does not cease to be within the course of the duties of the Government employee because it has been rendered for an object not concerned with the usual operations of his department or involves an unusual expenditure of labour.

5.57. Subject to rules under which a fee may be received by a medical officer of Government for services other than professional attendance (see note 5 below) or an expert witness summoned in a criminal court (see note 6 below) and subject to rules 5.58 to 5.60, a competent authority may permit a Government employee, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of service for a private person or body or for a public body including a body administering a local fund and to receive as remuneration therefor, if the service be material, a non-recurring or recurring fee.

Note 1.—The sanctioning authority must make it clear that sanction under this rule to perform work does not involve sanction to the acceptance of fee in excess of his own power of sanction under this rule.

Note 2.—Acceptance of fees by medical officers of Government for professional attendance is regulated by the rules in Chapter VI of the Punjab Medical Manual.

Note 3.—Government employees of the Education, Agriculture and Animal Husbandry (including Fisheries) and Health Department and the teaching staff of the Punjab Engineering College are authorised to undertake work of examining and setting papers in respect of University and Engineering and other examinations and to accept remunerations therefor : Provided the total sum so drawn by an individual does not in the case of Agriculture and Animal Husbandry (including Fisheries) Department Examinations exceed Rs. 5,000 and in the case of the Education, Health and Engineering Department Examinations Rs. 10,000 in a financial year.

The teaching staff of the Department of Agriculture and Animal Husbandry (including Fisheries) is permitted to retain fees up to Rs. 5,000 in a financial year for working as Supervisors, Superintendents, Deputy Superintendents, Invigilators, etc. at the University examination: provided the work is undertaken outside the normal hours of duty. The officials besides teaching work, doing research work are not permitted to undertake this work. Government employees of the Education Department are permitted to retain fees upto Rs. 10,000 for working as Supervisors or Superintendents at University Examinations provided the work is undertaken outside the normal hours of duty. For the acceptance of fees in excess of this sum the sanction of the competent authority should be obtained. In order to watch the above-mentioned limits the Heads of Departments concerned should obtain annually from the Government employees of their respective department, who receive remuneration under this note, a statement showing the amount received by each Government employee in the preceding financial year.

Note 4.—Notes 2 to 4 under rule 5.55 apply *mutatis mutandis* in the case of fees also.

Note 5.—The rules prescribing the conditions and limits subject to which a fee may be received by medical officers of Government other than professional attendance are contained in Appendix 8 of the Punjab Civil Services Rules, Volume I, Part II.

Note 6.—The rules for the payment of fees to expert witnesses summoned in Criminal Courts are contained in Appendix-8A of Punjab Civil Services Rules, Volume I, Part II.

Note 7.—The Personal Assistants/Private Secretaries/Stenographers, etc. attached to the officers nominated as Chairmen and Members of the Board of Directors of certain Corporations and Companies should not be allowed any additional remunerations from Corporations or Companies, when the officers with whom they are attached are allotted duties on the Board of Directors of Corporation or Companies as part of their normal functions.

5.58. Unless the competent authority by special orders or otherwise direct one-third of any fees in excess of Rs. 5,000 or if, a recurring fee, of Rs. 2,500 a year, paid to Government employee shall be credited to general revenues; provided that the fee to be retained by the Government employee concerned will not be reduced below Rs. 5,000 if non-recurring, or Rs. 2,500 a year if recurring and provided further that where a fee is paid for work done during the time which would otherwise be spent in the performance of official duties, the entire fee must be credited to Government, unless the competent authority for special reasons which should be recorded, directs otherwise.

Note 1.—Fees received by Government employees for giving expert evidence on technical matters before a court of law should also be governed by this rule.

Note 2.—Non-recurring and recurring fees should be dealt with separately and should not be added for the purpose of crediting one-third to general revenues under this rule. In the case of the former, the limit of Rs. 5,000 prescribed in this rule should be applied in each individual case and in the case of the latter the limit of Rs. 2,500 should be applied with reference to the total recurring fees for the financial year.

Note 3.—The fees received by Government employees from the following institutions are exempted from the operation of this rule:—

- (1) Society for the Prevention of Cruelty to Animals.
- (2) Indian Roads Congress.
- (3) India Cattle Show Committee.
- (4) Inter-University Board.
- (5) Inter-Provincial Board for Anglo-Indian Education.
- (6) Indian Red Cross Society.
- (7) Bharat Scouts and Guides, Punjab (Exemption relates only to fees received by Government employee for doing clerical work)
- (8) Child Activity Centres.
- (9) Bharat Sewak Samaj.

[Chap. V]

ADDITIONS TO PAY

[5.58]

Provided the work for them is done during the time which will not be otherwise spent in the performance of official duties.

Note 4.—The fees referred to in note 3 below Rule 5.57 in excess of Rs. 5,000 in the case of Government employees of Agriculture and Animal Husbandry (including Fisheries) Department and Rs. 10,000 in the case of Government employees of the Education and Health Departments and the Punjab Engineering College during a financial year shall be shared between the Government employees and the Government in the ratio of 2 :1, i.e. one third of the amount in excess of these limits should be credited to Government. These orders will, however, not be applicable to the fees received by Government employees of the Health Department for acting as Examiners of the Punjab University, Punjabi University or Kurukshetra University or the Punjab State Medical Faculty. In their case, the orders regarding the sharing of fees would apply only to the fees received by them for acting as examiners of the outside Universities and bodies.

When a Medical Officer conducting examination/inspection on behalf of an Indian University other than the Universities of the Punjab and the Medical Council of India does not take regular/casual leave for the purpose he shall credit the entire fee received by him to the Punjab Government Revenues. In case however, the period of his absence is treated as regular/casual leave, the orders of sharing the fees will apply.

Note 5.—The term “Fee” used in this rule shall not include conveyance allowance, provided the amount of conveyance allowance received by a Government employee from a source other than the revenues of the State does not exceed what would be admissible under the Punjab Government Rules under similar circumstances and is not a source of profit to the Government employee concerned. In case of doubt, a competent authority may decide whether the conveyance allowance thus received by a Government employee is reasonable as compared with the standard adopted by the Government for the grant of conveyance allowance and is not a source of profit to the Government employee.

Note 6.—If any fee to which this rule applies exceeds Rs. 5,000 non-recurring or Rs. 2,500 a year recurring or Rs. 5,000 in the case of Government employees of Agriculture and Animal Husbandry (including Fisheries) Department and Rs. 10,000 in the case of Government employees of the Education and Health Department and the Punjab Engineering College, referred to in note 3 below rule 5.57 during a financial year, one-third of the total amount payable, as the case may be, should be credited to general revenues provided that the amount retained by the Government employee concerned will not, merely owing to the operation of this rule, be reduced below Rs. 5,000 if non-recurring or Rs. 2,500 a year if recurring or Rs. 5,000 or Rs. 10,000 as the case may be.

Non-recurring and recurring fees should be dealt with separately and should not be added for the purpose of crediting one-third to general revenues under this rule. In the case of the former, the limit of Rs. 5,000 prescribed in this rule should be applied in each individual case and in the case of the latter the limit of Rs. 2,500 should be applied with reference to the total recurring fees for the financial year.

Note 7.—The fee received by a Superintending Engineer of the Public Works Department, Buildings and Roads Branch for acting as an arbitrator in a dispute arising between

[5.58] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

contractors and a Local Body relating to a contractor shall be apportioned between the Government, the officer and the staff employed in that connection as follows:

Government

..35 per cent

Superintending Engineer ..55 per cent

Staff (clerical employed) ..10 per cent

In case no staff is employed, the fee shall be distributed as follows:

Government ..40 per cent

Superintending Engineer ..60 per cent

No Superintending Engineer shall, however, be allowed to draw more than Rupees five thousand in any one arbitration case without the prior approval of Government.

Note 8.—Any scholarship or stipend received, during study leave or otherwise by a Government employee from a source other than the Consolidated Fund of India or Consolidated Fund of a State for the purpose of prosecuting a course of studies or receiving specialised training in professional or technical subjects will not be subject to a cut under the provisions of this rule.

However, this rule will continue to apply, unless specially relaxed to the payments received by such Government employees as a result of full time or part-time employment undertaken by them.

Note 9.—This rule will not apply to the income derived by a Government employee from exploitation of a patent for an invention taken out by him with the permission of competent authority under rule 5.64.

Note 10.—This rule will not apply to the fees which Government employees may receive from a University or other examining bodies in return for their services as examiners, paper-setters, Superintendents, Invigilators, checkers, etc. The “examining body” covers only those

institutions which are semi-Governments, i.e. bodies which are financed wholly or substantially by Government grants/loans etc. This rule will also not apply to fees received by a Government employee for similar service from Public Sector Undertakings or enterprises which are wholly or substantially owned by Government even though they are not examining bodies.

Note 11.—The operation of this rule may be exempted, with the concurrence of the Finance Department, for the income derived by a Government employee from sale or royalties of a book written by him with the aid of the knowledge acquired by him during the course of his service, provided the Administrative Department certifies that such book is not a mere compilation of Government rules, regulations or procedures but reveals the author's scholarly study of the subject.

Note 12.—This rule will not apply to the income derived by a Government employee:—

- (a) from writing of reports, papers or study reports on selected subjects for International bodies like U.N.O., UNESCO, etc.,; and
- (b) delivering of lectures on literary, cultural, artistic, technological and scientific subjects including management sciences which are treated as literary pursuits.

[Chap. V]

ADDITIONS TO PAY

[5.59-5.63]

5.59. The attesting and revising officers of outlying courts and officers of the Revenue Department and attesting and revising officers of the Judicial Department are permitted to receive with the sanction of the presiding officers of the courts and offices concerned one-tenth of the copying and urgent fees received in respect of the copies attested and revised by them. All copies prepared at Government expenses shall, however, be examined and attested without fee.

5.60. When a Government employee of an Educational Service is permitted to receive fees for private tuition, the financial limits of the powers of sanction accorded to by a competent authority shall be considered to apply to the total amount of fees to be accepted by such Government employee during any particular scholastic term or vacation.

5.61. Omitted.

5.62. Omitted.

5.63. Any Government employee is eligible to receive and, except as otherwise provided by a general or special order of the competent authority, to retain without special permission.—

- (a) the premium awarded for any essay or plan in public competitions;
- (b) any reward offered for the arrest of a criminal, or for information or special service in connection with the administration of justice;
- (c) any reward payable in accordance with Regulation or rules framed thereunder;
- (d) any reward sanctioned for services in connection with the administration of the customs and excise laws; and
- (e) any fees payable to a Government employee for duties which he is required to perform in his official capacity under any special or local law or by order of Government.

Note.—A fee payable to Government employee under rule 5.63(e) can be retained by him without special permission. In other words, rule 5.58 which requires that 1/3rd of all fees received by Government employee from private source should be credited to Government, does not apply to such remuneration. It is not considered desirable that a Government employee who in his official capacity, is nominated as a chairman or Member of a Government or quasi-Government body or governing body of an institution which receives a grant from Government, should be made eligible for any fee or other remuneration (except Travelling Allowance) which is admissible to non-Government employees for attending a meeting of the institution concerned or for performing other work thereof. This object can be served by making a suitable provision in the Articles of Association or other Regulations of the body

[5.63-5.64] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. V]

concerned or any Act relating to its institution without having recourse to an amendment of rule 5.63.

5.64. A Government employee whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention made by such Government employee save with the permission of the competent authority

and in accordance with such conditions as the competent authority may impose.

If a question arises whether a Government employee is a Government employee to whom this rule applies, the decision of the competent authority shall be final.

Note 1.—The Administrative instructions issued by Government under this rule are contained in Appendix 9 of Part II of this Volume.

Note 2.—The payment of honoraria as remuneration for the use by Government of inventions patented by persons in Government employ whose duties do not involve the carrying out of scientific or technical research should be regulated by the provisions of section 17 of the Inventions and Designs Act, 1888 and section 21 of the Indian Patents and Designs Act, 1911, and not by rule 5.55 or 5.64. The terms on which an invention may be used for the services of the Union should be settled with the approval of the Union Government before any payment is made to the patentee.

CHAPTER VI

DEPUTATION OUT OF INDIA

6.1. The deputation of a Government employee out of India shall be sanctioned by the Administrative Department concerned for the initial period of deputation which may be extended upto five years and in a rare case of special nature, if the exigencies so require in public interest, such period may be extended beyond five years by the Administrative Department concerned with the prior concurrence of the Department of Personnel and Administrative Reforms, in accordance with the terms and conditions laid down in the Annexure to this chapter.

6.2. (1) When a Government employee is, with proper sanction, temporarily deputed for duty out of India either in connection with the post held by him in India or in connection with any special duty on which he may temporarily be placed, he may be allowed by the Competent Authority to draw during the period of deputation the same pay which he would have drawn had he remained on duty in India:

Provided that a Government employee, who is placed on deputation while already on leave out of India on earned leave may be required by the competent authority to continue to be on leave, in which case he shall be given during that period, in addition to his leave salary, an honorarium of one-sixth of the pay which he would have drawn had he remained on duty in India, the cost of passage from and to India shall be borne by him.

Note.—The portion of the pay which a Government employee may be permitted to draw in foreign currency while on deputation abroad will be determined in accordance with the orders issued by the competent authority in this regard from time to time.

(2) A Government employee on deputation in a foreign country may also be granted a compensatory allowance of such amount as the competent authority may think fit.

(3) The foreign exchange equivalent of the pay, honorarium or compensatory allowance admissible under sub-rule (1) or sub-rule (2) shall be calculated at such rate of exchange as the Union Government may by order prescribe.

(4) Omitted.

Note 1.—A competent authority may depute a subordinate police employee to any country outside India to accompany on take charge of criminals or lunatics, or any other business which is part of his duty as a police officer, and may grant to the officer so deputed—

(a) full pay, for the entire period of absence from India, with;

[6.2] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VI]

(b) actual travelling expenses, and a subsistence allowance not exceeding the following scale, while in any country outside India: —

	S.	d.
For Government employees of the Inspector class (including Sub-Inspector)	22	6 a day
For Government employees of the Sergeant class	15	0 a day
For Government employees of the Constables and Assistant Sub-Inspectors Classes.		

Pakistan for the purposes of this note is treated
as in India.

Note 2.—The High Commissioner may be authorised to act on the decision taken under proviso to sub-rule (1). The periods of deputation, thus, converted into leave will count for pensions as leave and not as deputation.

Note 3.—The period of deputation runs from the date on which the Government employee makes over charge of his office in India to the date on which he resumes it, or, if the Government employee is on leave out of India at the time he is placed on deputation the period of the deputation is the time actually occupied by the duty.

Note 4.—The term “pay” in the expression ‘pay which he would have drawn had he remained on duty in India’ occurring in this rule, should be interpreted literally with reference to the definition in rule 2.44 and the pay which a Government employee would have drawn if he were on duty in India should be determined, for the purpose of this rule, with reference to

what the competent authorities in India, state the Government employees pay would have been if he were on duty in India. It will, therefore, be necessary for Accountant General to intimate to the High Commissioner in each case after consultation with Government, the pay which a Government employee would have drawn if on duty in India.

As overseas pay is included in "pay" and as a Government employee would draw overseas pay under rule 6.2 (1) (if entitled to it) had he remained on duty in India, it should be taken into account for the purposes of calculation of the deputation pay under that rule.

In the case of Government employees who are not deputed out of India for special items of works but are placed on continuous service with Commissions and Committees whose functions require work, both in and out of India, the expression should be interpreted as having reference to the pay which they would have drawn in India had they continued on duty with the Commission or Committee there.

Note 5.— In the case of a Government employee proceeding on deputation the grant of return passage to India is conditional on his return to duty forthwith on the conclusion of the deputation unless an arrangement to the contrary effect is specially permitted at the time the deputation closes or is about to close, and the proposed leave is begun.

Note 6. Omitted

Note 7.—For terms to be granted to Government employees sent on training abroad under the various training schemes see Appendix 20-A to Part II of this Volume.

[Chap. VI]

DEPUTATION OUT OF INDIA

[6.3]

6.3. When a Government employee is with proper sanction deputed for duty out of India to hold a regular constituted permanent or quasi permanent post, other than a post borne on the cadre of the service to which he belongs, his pay shall be regulated by the orders of the competent authority.

ANNEXURE

(Referred to in rule 6.1)

Standard terms and conditions of foreign service in respect of employees of the Punjab Government deputed to foreign countries

1. **Period of deputation.**—The period of deputation shall be for _____ year (s) in the first instance from the date the Government employee joins the assignment. But the period of foreign assignment may be extended or reduced according to the requirements of the foreign employer or the State Government.

2. **Pay, Allowances and other perks.**—The Government employee shall be entitled to pay, allowances and other perks fixed by the borrowing Government and approved by the Government of India in consultation with the State Government.

3. **Leave salary and pension contributions.**—The leave salary and pension contributions shall be paid either by the foreign employer or by the employee concerned in accordance with the provisions of rule 10.9 of the Punjab Civil Services Rules, Volume I, Part I. In case of default, interest shall be recoverable as per the provisions of rule 10.10 of the said rules.

4. **General Provident Fund and Group Insurance Scheme.**—The Government employee shall continue to be governed by the rules of the State Government as amended from time to time and shall ensure monthly subscription towards General Provident Fund and Group Insurance Scheme.

5. **Loans and Advances.**—The Government employee shall ensure that monthly instalments on account of recovery of loans and advances outstanding against him are paid regularly and he shall furnish a surety bond for payment of such dues on a non-judicial stamp paper worth Rs. 15/- or as may be required under the rules.

6. **Disability.**—The payment of leave salary in respect of disability incurred in or through the foreign service even though the disability manifests itself after the termination of foreign service, shall be paid by the foreign employer.

7. **Medical facilities.**—The Government employee shall be entitled to such medical facilities as are not inferior to those which he would have enjoyed under the

[Annexure] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VI]

State Government rules and instructions as amended from time to time, if he had been employed in the service of State Government.

8. **Travel.**—The cost of travel from the place of posting of the employee to the place of posting in the foreign country shall be borne either by the foreign employer or by the employee concerned as is settled at the time of proceeding on deputation.

9. **Joining time pay and travelling allowance, etc.**—Joining time pay and travelling allowance (both ways) shall be borne by the foreign employer.

10. **Foreign Exchange.**—The Government employee shall himself arrange for foreign exchange.

11. **Extension in the period of deputation.**—In case the foreign Government requires the services of the Government employee beyond the specified period of contract, he shall intimate this fact to the Government of India (Ministry of External Affairs) as soon as it comes to his notice and shall also request his foreign employer to take up the matter with the Government of India's representative in that country.

12. **Acceptance of Resignation.**—The resignation of a Government employee shall not be accepted while he is abroad, under any circumstances.

13. **Non-indulgence in activities prejudicial to the interest of India.**—While on deputation abroad, the Government employee shall not take part in any activity which may prove prejudicial to the interest of India or his State of domicile.

14. **Conduct Rules.**—The Government employee shall continue to be governed by the Punjab Government Employees (Conduct) Rules, 1966 as amended from time to time.

15. **Intimation of Address.**—After joining foreign assignment, the Government employee shall communicate his office address to his parent Department as well as to the High Commissioner of India in that country, for future correspondence.

16. **Residual matters.**—The matters not specifically covered here and other unclassified matters will be governed by the provisions of Chapter X of Punjab Civil Services Rules, Volume I, Part I and the instructions issued by the State Government from time to time.

CHAPTER VII

DISMISSAL, REMOVAL, SUSPENSION AND RESIGNATION

CESSATION OF PAY AND ALLOWANCES ON REMOVAL OR DISMISSAL

7.1. The pay and allowances of a Government employee who is dismissed or removed from service cease from the date of such dismissal or removal.

ALLOWANCES DURING PERIOD OF SUSPENSION

7.2. (1) A Government employee under suspension shall be entitled to the following payments, namely:—

- (i) in the case of a Warrant Officer in Civil employ who is liable to revert to military duty, the pay and allowances to which he would have been entitled had he been suspended, while in military employment.
- (ii) in the case of any other Government employee –
 - (a) a subsistence allowance at an amount equal to the leave salary which the Government employee would have drawn if he had been on leave on half pay, and in addition dearness allowance, if admissible, on the basis of such leave salary:

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows:—

- (i) the amount of subsistence allowance may be increased by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the said authority, the period of

suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government employee.

(ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons to be recorded in writing, directly attributable to the Government employee.

(iii) the rate of dearness allowance will be based on the increased, or as the case may be, the decreased amount of subsistence allowance

admissible under clauses (i) and (ii) above;

[7.2] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VII]

(b) any other compensatory allowances admissible from time to time on the basis of pay of which the Government employee was in receipt on the date of suspension subject to the fulfilment of other conditions laid down for the drawal of such allowances.

(2) No payment under sub-rule (1) shall be made unless the Government employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation:

Provided that in the case of a Government employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him, where the subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

Note 1.—Mounted Police Officers who are placed under suspension will cease to draw horse, pony or camel allowance, as the case may be, and will hand over their mounts to the Lines Officers or the Officer-in-charge of the Mounted Police who shall be responsible for the feeding and keeping of such animals under the supervision of a Group ‘A’ or Group ‘B’ Government employee. The actual expenditure incurred on this account will be debitable to Contingencies under the head “Feeding and keeping of animals of Mounted Police Officers under suspension.”

The term “Mounted Police Officer” includes members of the Mounted Police as well as Upper Subordinates who keep mounts.

Note 2.—It is obligatory under this rule that in sufficient time before the expiry of the first six months of suspension the competent authority should review each case in which the period of suspension is likely to exceed six months, and even if it comes to the conclusion that the rule is not to be altered having regard to all circumstances of the case specific orders to that effect are to be passed placing on record the circumstances under which the decision had to be taken.

[Chap. VII] DISMISSAL, REMOVAL, SUSPENSION AND [7.3]
RESIGNATION

ALLOWANCES ON REINSTATEMENT

7.3. (1) When a Government employee, who has been dismissed, removed or compulsorily retired, is reinstated as a result of appeal, revision or review, or would have been so reinstated but for his retirement on superannuation while under suspension or not, the authority competent to order re-instatement shall consider and make a specific order—

- (a) regarding the pay and allowances to be paid to the Government employee for the period of his absence from duty including the period of suspension, preceding his dismissal, removal or compulsory retirement, as the case may be; and
- (b) whether or not the said period shall be treated as a period spent on duty.

(2) Where the authority competent to order re-instatement is of opinion that the Government employee, who had been dismissed, removed or compulsorily retired, has been fully exonerated, the Government employee shall, subject to the provisions of sub-rule (6), be paid his full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended, prior to such dismissal, removal or compulsory retirement, as the case may be:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the Government employee had been delayed due to reasons directly attributable to the Government employee it may, after giving him an opportunity to make representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government employee shall, subject to the provisions of sub-rule (7), be paid for the period of such delay only such amount (not being the whole) of pay and allowances, as it may determine.

(3) In a case falling under sub-rule (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(4) In cases other than those covered by sub-rule (2) including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the authority exercising powers of appeal, revision or review solely on the ground of non-compliance with the requirements of clause (2) of article 311 of the Constitution and no further inquiry is proposed to be held, the Government employee shall, subject to the provisions of sub-rules (6) and (7), be paid such amount (not being the whole) of pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or

[7.3] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VII]

compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government employee of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice:

Provided that any payment under this sub-rule to a Government employee other than a Government employee who is governed by the provisions of the payment of Wages Act, 1936 (Act 4 of 1936) shall be restricted to a period of three years immediately preceding the date on which order for re-instatement of such Government employee are passed by the authority exercising the powers of appeal, revision or review, or immediately preceding the date of retirement on superannuation of such Government employee, as the case may be.

(5) In a case falling under sub-rule (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or

compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the Government employee so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the Government employee.

Note.—The order of the competent authority under the preceding proviso shall be absolute and no sanction of the higher authority shall be necessary for the grant of—

- (a) extraordinary leave in excess of three months in the case of a temporary Government employee; and
- (b) leave of any kind due in excess of five years in the case of a permanent and quasi-permanent Government employee.

(6) The payment of allowances under sub-rule (2) or sub-rule (4) shall be subject to all other conditions under which such allowances are admissible.

(7) The amount determined under the proviso to sub-rule (2), or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under rule 7.2.

(8) Any payment made under this rule to a Government employee on his reinstatement, shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere nothing shall be paid to the Government employee.

[Chap. VII] **DISMISSAL, REMOVAL, SUSPENSION AND** [7.3-7.3A]
RESIGNATION

Note 1.—This rule is absolute and unconditional and so the question of lien does not arise in the case of a Government employee who is dismissed from service and is reinstated on appeal, revision or review when the period of unemployment between the date of dismissal and reinstatement is declared by the authority exercising the powers of appeal, revision or review as the period spent on duty.

Note 2.—Clause (b) of sub-rule (1) of this rule does not forbid the period spent under suspension being treated as leave, and it is open to the authority exercising the powers of appeal, revision or review to specify the proportion of pay and allowances to be paid as the leave salary which would be permissible, if the Government employee were on leave.

Administrative Instruction.—A permanent post vacated by the reason of dismissal, removal or compulsory retirement of a Government employee should not be filled substantively until the expiry of a period of one year from the date of such dismissal, removal or compulsory retirement. Where, on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in that grade with proper sanction and with the stipulation that it would terminate on the occurrence of the first substantive vacancy in that grade.

Note 3.—If no order is passed under sub-rule (5), directing that the period of absence be treated as duty for any specified purpose, the period of absence should be treated as 'non-duty'. In such event, the past service (i.e. service rendered before dismissal, removal, compulsory retirement) will not be forfeited.

Note 4.—There is no bar to the conversion of any portion of a period of suspension into extraordinary leave. In the case of persons who are not fully exonerated, the conversion of the period of suspension into leave with or without allowances has the effect of removing the stigma of suspension and all the adverse consequences flowing therefrom. The moment the period of suspension is converted into leave, it has the effect of vacating the order of suspension, and it will be deemed not to have been passed at all. Therefore, if it is found that the total amount of subsistence and compensatory allowances that an officer received during the period of suspension exceeds the amount of leave salary and allowances, the excess will have to be refunded and there is no escape from this conclusion.

7.3-A. (1) Where the dismissal, removal or compulsory retirement of a Government employee is set aside by a court of law and such Government employee is re-instated without holding any further inquiry, the period of absence from duty shall be regularised and the Government employee shall be paid pay and allowances in accordance with the provisions of sub-rule (2) or sub-rule (3) subject to the directions, if any, of the court.

[7.3A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VII]

(2) (i) Where the dismissal, removal or compulsory retirement of a Government employee is set aside by the court solely on the ground of non-compliance with the requirements of article 311 of the Constitution, and where he is not exonerated on merits, the Government employee shall, subject to the provisions of sub-rule (7) of rule 7.3, be paid such amount (not being the whole) of the pay and allowances, to which he would have been entitled had he not been dismissed, removed or compulsorily retired, suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving

notice to the Government employee of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice :

Provided that any payment made under this sub-rule to a Government employee other than a Government employee who is governed by the provisions of the Payment of Wages Act, 1936 (Act 4 of 1936) shall be restricted to a period of three years immediately preceding the date on which the judgment of the court was passed or the date of retirement on superannuation of such Government employee, as the case may be.

(ii) The period intervening the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of judgment of the court shall be regularised in accordance with the provisions contained in sub-rule (5) of rule 7.3.

(3) If the dismissal, removal or compulsory retirement of a Government employee is set aside by the court on the merits of the case, the period intervening the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be treated as spent on duty for all purposes and he shall be paid full pay and allowances for that period to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(4) The payment of allowances under sub-rule (2) or sub-rule (3) shall be subject to all other conditions under which such allowances are admissible.

(5) Any payment made under this rule to a Government employee on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than those earned during the employment elsewhere nothing shall be paid to the Government employee.

[Chap. VII] DISMISSAL, REMOVAL, SUSPENSION AND [7.3-B]
RESIGNATION

7.3-B. (1) When a Government employee who has been suspended is reinstated or would have been so re-instated but for his retirement on superannuation while under suspension the authority competent to order re-instatement shall consider and make a specific order –

- (a) regarding the pay and allowance to be paid to the Government employee for the period of suspension ending with re-instatement or the date of his retirement on superannuation, as the case may be; and
- (b) whether or not the said period shall be treated as a period spent on duty.

(2) Notwithstanding anything contained in rule 7.3 or rule 7.3-A, where a Government employee under suspension dies before the disciplinary or court proceedings instituted against him, are concluded, the period between the date of suspension and the date of death shall be treated as spent on duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled, had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

(3) Where the authority competent to order re-instatement is of opinion that the suspension was wholly unjustified, the Government employee shall, subject to the provisions of sub-rule (8), be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the Government employee, had been delayed due to reasons directly attributable to the Government employee, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government employee shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

(4) In a case falling under sub-rule (3), the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases other than those falling under sub-rules (2) and (3), the Government employee shall, subject to the provisions of sub-rules (8) and (9), be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled, had he not been suspended, as the competent authority may determine, after giving notice to the Government employee of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice.

(6) Where suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-rule (1) before the conclusion of the

[7.3-B] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VII]

proceedings against the Government employee shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (1) who shall make an order according to the provisions of sub-rule (3) or sub-rule (5), as the case may be.

(7) In a case falling under sub-rule (5), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the Government employee so desires such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the Government employee.

Note.—The order of the competent authority under the preceding proviso shall be absolute and no sanction of the higher authority shall be necessary for the grant of—

(a) extraordinary leave in excess of three months in the case of temporary Government employee; and

(b) leave of any kind in excess of five years in the case of permanent Government employee.

(8) The payment of allowances under sub-rule (2), sub-rule (3) or sub-rule (5) shall be subject to all other conditions under which such allowances are admissible.

(9) The amount determined under the proviso to sub-rule (3) or under sub-rule (5) shall not be less than the subsistence allowance and other allowances admissible under rule 7.2.

Note 1.—A suspended Mounted Police Officer on reinstatement, even if such Officer is found not guilty of charges preferred against him, will not be given conveyance allowance for the period of suspension.

Note 2.—The period spent under medical treatment by a Government employee under suspension, shall be treated as spent under suspension and the subsistence allowance as admissible under the rules shall be given for that period. On reinstatement, it shall be specified whether it is to be treated as 'duty' or 'non-duty' with reference to the provisions of this rule, unless the Government employee concerned desires and the competent authority orders that it may be converted into leave of the kind due and admissible to him.

Note 3.—Extra post is not required to be created for grant of full pay and allowances on reinstatement of a suspended employee after his having been fully exonerated.

Note 4.—Also see Note 4 under rule 7.3(8).

[Chap. VII] DISMISSAL, REMOVAL, SUSPENSION AND [7.4-7.5]
RESIGNATION

LEAVE TO A GOVERNMENT' EMPLOYEE UNDER SUSPENSION

7.4. Leave may not be granted to a Government employee under suspension. See also note 2 under rule 7.3.

Note 1.—A suspension vacancy should be treated as filled by a reservist, if one is available at the time, a Government employee belonging to an establishment containing a leave reserve is placed under suspension. If no reservist is available at the time, an outsider may be appointed but replaced by a reservist as soon as one is available.

Note 2.—In an establishment where provision for leave reserve exists, any vacancy caused on account of suspension of a Government employee should be filled by a 'reservist' and where a 'reservist' is not available, the post should be filled by an officiating appointment. It is, however, not necessary to create an extra post.

FORFEITURE OF SERVICE ON RESIGNATION

7.5. (1) Resignation from a service or a post, unless it is allowed to be withdrawn in public interest by the appointing authority, entails forfeiture of past service.

(2) A resignation shall not entail forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, whether temporary or permanent, under the Government where service qualifies for pension.

(3) Interruption in service in a case falling under sub-rule (2), due to the two appointments being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the Government employee on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to him.

(4) The appointing authority may permit a person to withdraw his resignation in public interest on the following conditions, namely:—

(i) that the resignation was tendered by the Government employee for some compelling reasons which did not involve any reflection on his integrity, efficiency or conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation;

(ii) that during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper;

(iii) that the period of absence from duty between the date on which the resignation became effective and the date on which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days;

[7.5] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VII]

(iv) that the aforementioned period of ninety days shall be observed in the manner that the employee concerned should put in his application for withdrawal of resignation within two months of being relieved and the same should as far as possible be processed within a period of one month; and

(v) that the post, which was vacated by the Government employee on the acceptance of his resignation or any other comparable post, is available.

(5) Request for withdrawal of a resignation shall not be accepted by the appointing authority where a Government employee resigns his service or post with a view to taking up an appointment in or under a private commercial company or in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government.

(6) When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service but the period of interruption shall not count as qualifying service.

CHAPTER VIII

LEAVE

SECTION I—General Conditions And Extent of Application

I.— SERVICE COUNTING FOR LEAVE

8.1. Leave is earned by duty only. For the purpose of this rule, a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

Note.—See also note below rule 2.16 (b).

8.2. (a) If a Government employee, who quits the public service on compensation or invalid pension or gratuity, is re-employed, and if his gratuity is thereupon refunded or his pension is held only in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide, count his former service towards leave.

Note.—Resignation of the public service, even though it is followed immediately by re-employment should entail forfeiture of past service for the purpose of leave under the rules in this chapter and should, therefore, constitute an 'Interruption of duty'.

(b) A Government employee who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

Note.—The re-employment of a person who has retired on a superannuation or retiring pension is generally an exceptional and temporary expedient. The service of such a

re-employed pensioner should, therefore, be regarded as temporary and his leave during the period of re-employment, should be regulated by the rules applicable to temporary Government employees.

II.—APPLICATION FOR AND GRANT OF LEAVE

(1) GENERAL

8.3. Subject to any instructions issued by the Comptroller and Auditor-General of India in order to secure efficiency and uniformity of audit in relation to leave procedure the following rules govern the procedure for making applications for leave and for granting leave.

Note.—The instructions relating to leave procedure are contained in Appendix 11 in Part II of this Volume.

[8.4-8.13] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(2) APPLICATION FOR LEAVE.

(a) To whom to be submitted.

8.4. An application for leave, or for an extension of leave, shall be made to the authority competent to grant such leave or extension.

Note.—Application for leave should be made on form Punjab C.S.R. No. 2.

8.5. A Government employee on foreign service in India should submit all applications for leave, through his employer, to the authority competent to sanction the leave.

(b) Procedure in case of leave on medical certificate.

Instructions for Medical Officers

8.6. Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government employee concerned will ever be fit to resume his duties. In such cases, the opinion that the Government employee is permanently unfit for Government service should be recorded in the medical certificate.

8.7. Every certificate of a medical committee or board or a medical officer recommending the grant of leave to a Government employee must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government employee under the terms of his contract or of the rules to which he is subject.

8.8 to 8.12. Omitted.

Medical certificate for Government employees.

8.13. (a) Every application for leave on medical grounds made by a Government employee shall be accompanied by a medical certificate given by a registered medical practitioner having a graduate degree in the Allopathic, Ayurvedic or Homoeopathic system of medicine defining as nearly as possible the nature and probable duration of the illness or by a request for the issue of a requisition for examination by a medical officer of the Government:

Provided that the authority competent to sanction leave may, at its discretion, waive the condition of producing a medical certificate in the case of a Group 'A' or Group 'B' Government employee if the leave applied for does not exceed three days at a time and such leave shall not be treated as leave on medical certificate and shall be debited against leave due other than the leave on medical grounds.

(b) The authority competent to sanction leave may at its discretion, secure a second medical opinion by requesting the Principal Medical Officer or Assistant to the

[Chap. VIII]

LEAVE

[8.13]

Civil Surgeon to have the applicant examined. If it decides to do so, it must arrange for the second examination to be made at the earliest possible date after the date on which the first medical opinion was given.

(c) The Principal Medical Officer or Assistant to the Civil Surgeon shall express his opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended, and for this purpose he may require the applicant for leave to appear either before himself or before a medical officer nominated by him.

Note 1.—The possession of a certificate as prescribed in this rule does not itself confer upon the Government employee concerned any right to leave.

Note 2.—Omitted.

Note 3.—Omitted.

Note 4.—The Government employee should obtain a medical certificate in the following form or as nearly in that form as the circumstances may permit:—

“Medical Certificate for Government employees recommended for leave, extension of leave or commutation of leave.”

- (1) Name (to be filled in by the applicant in the presence of the registered medical practitioner having a graduate degree in the Allopathic, Ayurvedic or Homoeopathic System of Medicine.
- (2) Appointment.
- (3) Age.
- (4) Signature of the applicant.
- (5) Total service.
- (6) Previous period of leave or of absence on medical certificate.

(Columns 5 and 6 to be filled in by the applicant in the presence of the registered medical practitioner having a graduate degree in the Allopathic, Ayurvedic or Homoeopathic System of Medicine.)

I _____, after careful personal examination of the case hereby certify that _____ whose signature and particulars are

given above, is suffering from _____ and I consider that a period of absence from duty of _____ with effect from _____ is absolutely necessary for the restoration of his health.

Dated the _____ Government Medical Attendant OR
Registered Medical Practitioner having a
Graduate Degree in the Allopathic, Ayurvedic or
Homoeopathic System of Medicine.

[8.13-8.17] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(Second medical opinion if called for by the authority competent to sanction leave).

Principal Medical Officer or
Assistant to Civil Surgeon

8.14. In support of an application for leave, or for an extension of leave, on medical certificate, from a Government employee in Group 'D' Service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

(3) GRANT OF LEAVE

(a) General

8.15. Leave cannot be claimed as of right. When the exigencies of the public services so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

The nature of leave due and applied for by a Government employee cannot be altered at the option of the sanctioning authority. So, while it is open to the sanctioning authority to refuse or revoke leave due and applied for under this rule it is not open to him to alter the nature of such leave.

8.16. (1) The grant of a certificate under rule 8.13 or 8.14 does not in itself confer upon the Government employee concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of that authority should be awaited. A Government employee who absents himself from his duty without permission of the competent authority is liable to have his absence treated as absence from duty without leave.

(2) The authority competent to grant leave may, in its discretion waive the production of a medical certificate in case of an application for leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than leave on medical grounds.

8.17. In cases where all applications for leave cannot, in the interests of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take into account following considerations:—

- (a) The Government employees who can, for the time being, best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.

[Chap. VIII]

LEAVE

[8.17-8.20]

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- (d) The fact that any such applicant was compulsorily recalled from his last leave.
 - (e) The fact that any such applicant has been refused leave in the public interest.

8.18. When a medical committee or board has reported that there is no reasonable prospect that a particular Government employee will ever be fit to return to duty, leave should not necessarily be refused to such a Government employee. It may be granted, if due, by a competent authority on the following conditions:—

- (a) If the medical committee or board is unable to say with certainty that the Government employee will never again be fit for service, leave not

exceeding twelve months in all may be granted. Such leave should not be extended without further reference to a medical committee or board.

(b) If the medical committee or board declares the Government employee to be completely and permanently incapacitated for further service he should, except as provided in clause (c) below, be invalided from the service, either on the expiration of the leave already granted to him, if he is on leave when examined by the committee or board, or, if he is on duty from the date of relief of his duties which should be arranged without delay on receipt of the report of the medical authority.

(c) A Government employee declared by a Committee or Board to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave, not exceeding six months as debited against the leave account if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government employee's breakdown in health has been caused in and by Government service, or when he has taken a comparatively small amount of leave during his service or will complete at an early date an additional year's service for pension.

8.19. Leave shall not be granted to a Government employee whom a competent authority has decided to dismiss, remove or compulsorily retire from Government service.

8.20. Leave should be sanctioned to a Government employee after due verification by the authority maintaining the leave account and a modified sanction for the period of leave can be issued, where necessary.

Note.—In the case of leave preparatory to retirement, an undertaking for recovery of leave salary, if any, paid in excess shall be taken from the Government employee.

[8.21] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(b) Leave beyond the date of retirement and encashment of leave

8.21. (a) Leave at the credit of a Government employee in his leave account shall lapse on the date of his retirement:

Provided that the Government employee, —

- (A) retiring on superannuation; or
- (B) retiring prematurely, voluntarily or on invalidation; or
- (C) retiring compulsorily as a measure of punishment and in whose case cut in the amount of pension has not been ordered by the competent authority;

shall, subject to the provisions of sub-rule (c), be entitled to cash payment in lieu of the un-utilised earned leave due as leave preparatory to retirement as under :—

- (i) the cash payment shall be equivalent to leave salary limited to a maximum of 300 days' earned leave;
- (ii) the cash payment shall become payable on retirement in the above

cases in lump sum as a one-time settlement;

- (iii) the leave salary for the purpose of this rule shall not include city compensatory allowance or house-rent allowance; and
- (iv) no deduction on account of pension and pensionary benefit equivalent to other retirement benefits shall be made from the cash thus paid.

(aa) Notwithstanding anything contained in sub-rule (a), the authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of Government employee, who retires from service on superannuation while under suspension or while disciplinary or criminal proceedings are pending against him, if in the opinion of such authority, there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him and on conclusion of the proceedings, he shall become eligible to the amount so withheld after adjustment of Government dues, if any.

(b) In case of a Government employee, who is granted extension in Service, on the completion of his extended period of Service, shall be entitled to draw cash equivalent to un-utilized earned leave at his credit on the date of his superannuation:

Provided that a Government employee, who continues in Service after his superannuation, shall earn leave at the rate applicable to him on the date of his superannuation:

Provided further that if a Government employee, avails earned leave in excess

<u>[Chap. VIII]</u>	<u>LEAVE</u>	<u>[8.21-8.22]</u>
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of leave earned by him during the period of his extension, in that case the excess leave availed by him, shall be deducted from the un-utilized leave at his credit on the date of his superannuation.

(c) the cash payment for the unutilised leave admissible under the aforesaid sub-rule (a), shall be calculated as follows, namely: –

Pay admissible on the date of retirement plus Dearness Allowance admissible on that date.	×	Number of days of unutilised earned leave at credit on the date of retirement subject to a maximum of 300 days.
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(d) Omitted.

Note 1.—In the case of the person re-employed after retirement the provisions of these rules shall apply as if he had entered Government service for the first time on the date of his re-employment.

Note 2. Omitted.

Note 3. Omitted.

Note 4.—The period of 300 days mentioned in this rule includes any period of vacation with which leave is combined.

Note 5.—Omitted.

Note 6.—In the case of a Government employee, who is serving in a vacation department, the provisions of rule 8.117 shall also apply for computing his leave under sub-rule (b), of this rule.

Note 7.—The authorities empowered to grant earned leave, as specified in Appendix-12 of Part II of this Volume, shall be competent to sanction cash equivalent of unutilized earned leave admissible under the provisions of this rule.

(c) Encashment of earned leave along with

Leave Travel Concession while in service

8.22. (1) A Government employee may be permitted to encash earned leave upto ten days at the time of availing of Leave Travel Concession while in service, subject to the condition that the total earned leave so encashed during the entire service career shall not exceed sixty days in the aggregate.

(2) The encashment of earned leave under this rule shall be allowed only once during the relevant block of four years and shall be admissible without any linkage to the number of days and the nature of leave availed for Leave Travel Concession.

[8.22-8.23] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(3) The amount of leave encashment shall be calculated as follows, namely: –

Pay admissible on the date of availing of the Leave Travel Concession plus Dearness Allowance admissible on that date.	×	Number of days of earned leave encashed subject to the maximum of ten days at one time.
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(4) The leave encashed under this rule shall be debitible to the leave account of the Government employee.

(5) Where both husband and wife are Government employees, encashment of leave shall be admissible to both of them subject to a maximum of sixty days for each spouse during the entire service career.

(6) The leave so encashed shall not be deducted from the maximum amount of earned leave encashable at the time of retirement under rule 8.21.

Clarification:—Encashment of earned leave under this rule shall not be admissible for availing Leave Travel Concession to visit Home Town.

(4) AUTHORITIES COMPETENT TO GRANT LEAVE

8.23. Appendix 12 in Part II of this Volume specifies the authorities by whom leave admissible under these rules, other than leave on medical certificate under rule 8.18, special disability leave under rule 8.124 and 8.125, study leave under rule 8.126 and extraordinary leave under rule 8.137 of these rules, may be granted:

Provided that the authorities specified in Appendix 12, in Part II of this Volume may further delegate their powers to grant leave to any authority subordinate to them subject to such conditions and limitations as they may deem fit to impose:

Provided further that:

- (a) the creation of an additional post requiring the sanction of a higher

authority; or

- (b) reference to higher authority for a substitute; the sanction of the higher authority competent to create the additional post or to sanction a substitute will be necessary. Special disability leave can be sanctioned only with the consent of the Department of Finance.

8.24. Omitted.

[Chap. VIII]

LEAVE

[8.25-8.28]

III.—COMMENCEMENT AND EXPIRY OF LEAVE AND COMBINATION OF HOLIDAYS

WITH LEAVE

(1) Commencement and expiry of leave.

8.25. Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed to a Government employee returning from leave out of India, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of debarkation, or, if he returns by air, the day on which the aircraft in which he returns arrives at its first regular port in India.

(2) Combination of holidays with leave.

8.26. An authority competent to grant leave may permit Sundays, other recognised holidays or vacation to be prefixed to leave or affixed to leave or to be both prefixed and affixed to leave in the circumstances and on the conditions laid down in rules 8.27 to 8.32:

Provided that prefixing and suffixing Sundays or other holidays to leave, other than leave on medical certificate, shall be allowed automatically except in cases where for administrative reasons, permission for prefixing and suffixing Sundays or other holidays to leave is specifically withheld. In case of leave on medical certificate if the day on which an employee is certified medically fit for rejoining duties happens to be Sunday or other holiday, he shall automatically be allowed to suffix such a holiday to his medical leave and such day shall not be counted as leave.

Note.—See also rules 3.23 and 3.24.

8.27. When the day (or days) immediately preceding the day on which the leave of a Government employee begins is a holiday (or series of holidays), and competent authority has permitted under rule 3.23, the said Government employee to make over charge (and the Government employee relieving him to receive charge) on the afternoon of the day immediately preceding the holiday or series of holidays, the leave of the Government employee making over charge and any consequent rearrangement of pay and allowances shall, unless the competent authority in any case otherwise, directs, take effect from the first day after the holidays.

8.28. When the day (or days) immediately following the day on which the leave of a Government employee ends is a holiday (or series of holidays), and a competent authority has permitted the said Government employee to receive charge (and the Government employee relieved to make over charge) on the forenoon if the day immediately following the holidays or series of holidays, the leave if the Government employee receiving charge, is, unless the competent authority in any case otherwise directs, treated as having terminated on, and any consequent re-arrangement of pay

[8.28-8.30] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]
and allowances takes effect from the day on which the leave would have ended if holidays had not been affixed.

Note 1.—When a competent authority directs otherwise than as in this rule, it should convey the orders in the following form:

“It is directed under Rule 8.28 that ___ (leave) be treated as having terminated on ___ and the consequent re-arrangement of pay and allowances takes effect from the same date.”

Note 2.—The fundamental principle is that two Government employees cannot be on duty in the same post. Under rule $\frac{8.27}{8.28}$ a competent authority cannot accordingly direct that both the relieving and the relieved Government employees shall be considered as on duty in the same post during the period of holidays. A competent authority can under the rule direct

that the leave of the Government employee $\frac{\text{proceeding on}}{\text{returning from}}$ leave and the consequent arrangement of pay and allowances shall take effect from the first day $\frac{\text{after}}{\text{before}}$ the holidays or from some day during the holidays. If a holiday comes at the $\frac{\text{beginning}}{\text{end}}$ of leave the Government employee $\frac{\text{going on}}{\text{returning from}}$ leave can be allowed under rule $\frac{8.27}{8.28}$ during that holiday, where ordinarily no work is required of him to $\frac{\text{go}}{\text{remain}}$ off and count the holiday as duty, as if would have counted had he $\frac{\text{not been going on leave}}{\text{returning to duty before holiday}}$. The Government employee $\frac{\text{going on}}{\text{returning from}}$ leave $\frac{\text{does not then make over till the holiday is over}}{\text{then takes over before the holiday commences}}$. If a competent authority decides that in the circumstances of the case some one must be on the spot in charge than either (1) the Government employee $\frac{\text{going on}}{\text{returning from}}$ leave must $\frac{\text{remain}}{\text{return}}$ during the holiday or (2) $\frac{\text{the relieving Government employee}}{\text{the Government employee to be relieved}}$ must $\frac{\text{be appointed to}}{\text{retain}}$ the charge during the whole or part of the holidays according to the orders and he must do the work without drawing the pay of the post, the $\frac{\text{outgoing}}{\text{incoming}}$ man being allowed to be away from the station though being treated as on duty during the whole or part of the holidays.

8.29. In the case of Government employees serving in vacation Departments, vacations may be prefixed or affixed to leave, or both prefixed and affixed or allowed to intervene between two periods of leave subject to the conditions mentioned in rules 3.23, 3.24, 8.27, 8.28, and 8.117(c). The previous approval of the Department of Finance should be obtained in cases where combination of vacation with leave involves extra expense to Government.

Note.—Recognised holidays intervening between leave and vacation or vice versa should, be treated as part of the vacation and such holidays should be taken into account for the purpose of calculating the maximum amount of earned leave admissible to a Government employee at any one time.

8.30. When a Government employee is permitted to prefix vacation to leave; he will report before leaving headquarters or if for urgent reasons, the leave is granted during vacation as soon as it is granted, that he makes over charge with effect from the

[Chap. VIII]

LEAVE

[8.30-8.33]

end of the vacation, and the relieving Government employee will then take over charge, and the leave and any consequent re-arrangement of pay will have effect from the end of the vacation.

8.31. When a Government employee is permitted to affix vacation to leave the Government employee to be relieved will make over charge before the vacation, and any consequent re-arrangement of pay will have effect from the beginning of the vacation.

8.32. In the case of District and Sessions Judges, vacations will be treated as recognised holidays and may be prefixed or affixed to leave or both prefixed and affixed or allowed to intervene between two periods of leave subject to the conditions mentioned in Rules 8.23, 8.27 and 8.28 above and provided further that –

(i) no additional expense is incurred by the State for the period of the vacation.

(ii) vacation shall be reckoned as leave in calculating the maximum amount of “earned leave” which may be included in the particular period of leave.

Exception: As it is not possible to say at the time of sanctioning leave that condition (i) will necessarily be satisfied, any permission to combine leave with vacation is subject to withdrawal in the event of a Government employee being required to carry out the duties of the post during vacation. In such cases either the Government employee will be recalled or, if this is impracticable owing to his absence from India or for any other reason, a substitute will be appointed. In the latter case, the portion of the Government employee’s vacation during which the substitute discharges the duties of the post will be treated as leave.

8.33. (1) Where the application of the above rules as to prefixing and affixing holidays to leave or joining time is doubtful, or inequitable, a competent authority will decide which Government employee shall be held to have been incharge, and to which the pay of the post for the holiday or holidays shall be paid.

(2) Unless the authority competent to grant leave in any case, otherwise directs,—

(a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances takes effect from the day after the holidays; and

(b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent re-arrangement of pay and allowances take effect from the day on which the leave would have ended, if holidays had not been suffixed.

IV.—DEPARTURE ON LEAVE

8.34. Omitted.

[8.35-8.41] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

8.35. A Government employee taking leave out of India must report his embarkation to the authority which granted his leave.

8.36. Every Government employee proceeding on leave must record on his application for leave, the address at which letters will find him during leave. Subsequent changes in address during leave, if any, should likewise be intimated to the head of the office or the head of department, as the case may be.

8.37 to 8.40. Omitted.

V.—ACCEPTANCE OF EMPLOYMENT DURING LEAVE

8.41. A Government employee on leave may not take any service or accept any employment (including the setting up of a private professional practice as accountant, consultant, or legal or medical practitioner), without obtaining the previous sanction of –

- (a) the competent authority, if the proposed service or employment lies elsewhere than in India;
- (b) the Government, or any lower authority empowered to appoint him, if the proposed service or employment lies in India.

Note 1.—This rule does not apply to casual literary work or to service as an examiner or similar employment, nor does it apply to acceptance of foreign service which is governed by rule 10.2. The provisions of this note cannot be used as a means of evading the rules governing foreign service and Government employees should in no case be permitted to take up foreign service except on terms duly approved by the authority competent to sanction the transfer.

Note 2.—This rule should not be construed as permitting a Government employee who avails himself of leave on medical certificate to undertake regular employment during such leave.

Note 3.—No permission for accepting employment during leave preparatory to retirement shall be granted:

Provided that in exceptional circumstances, the competent authority or the Government, as the case may be, may permit the Government employee to accept employment with any public sector undertaking and on grant of such permission, the leave salary shall not be restricted to that admissible during half-pay leave.

Note 4.—The leave salary of a Government employee permitted to take up employment during terminal leave granted under rule 8.138-A shall not be restricted to the amount of leave salary admissible during the half-pay-leave but shall be subject to reduction on account of pension and pension equivalent of other retirement benefits and such a Government employee shall be paid in lump sum the amount equivalent to leave salary and allowances, for the entire period of such leave as one-time settlement.

[Chap. VIII]

LEAVE

[8.41-8.42]

Note 5.—A Government employee who volunteers for premature retrenchment in order to take up private employment should be treated as having resigned his post of his own volition and granted terminal leave not exceeding half the amount of earned leave at his credit and his leave-salary restricted to the amount of leave-salary admissible in respect of half pay leave.

Note 6.—Re-employed pensioners and specialists/contract officers can be permitted to take up employment/service during the currency of terminal leave, but in that case their leave salary should be restricted to the amount of leave salary admissible in respect of half pay leave.

Note 7.—This rule does not apply where a Government employee has been allowed to take up a limited amount of private practice and receives fees therefor as part of his conditions of services, e.g. where a right of private practice has been granted to a medical officer.

8.41-A. (1) In case a Government employee who has proceeded on leave preparatory to retirement before the date of compulsory retirement is required for employment during such leave in any post under the Punjab Government and he is agreeable to return to duty, he will be recalled to duty and the unexpired portion of his leave from the date of rejoining duty shall be cancelled.

(2) The leave so cancelled under sub-rule (1), shall be allowed to be encashed under the provisions of rule 8.21.

VI.—RECALL FROM LEAVE

8.42. In case a Government employee is recalled to duty before the expiry of his leave, he is entitled –

(a) if the leave from which he is recalled is out of India—

(i) to receive a free passage to India; and, provided that he has not completed half the period of his leave by the date of leaving for India on recall, or three months, whichever period is shorter, to receive a refund of the cost of his passage from India;

(ii) to count the time spent on the voyage to India as duty for purposes of calculating leave; and

(iii) to receive leave salary during the voyage to India and for the period from the date of landing in India to the date of joining his post to be paid leave-salary at the same rate at which he would have drawn it, had he not been recalled but returned in the ordinary course on the termination of his leave and for the latter period travelling allowance under the Punjab Travelling Allowance Rules.

(b) If the leave from which he is recalled is in India to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance under the Punjab Travelling Allowance Rules for the journey,

[8.42-8.44] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]
and to draw leave salary until he joins his post at the same rate at which he would have drawn it but for recall to duty.

Note 1.—Orders recalling a Government employee on leave out of India should in all cases be communicated to him through the High Commissioner for India.

Note 2.—The ‘concession’ referred to in the second sentence of this rule is a concession of the category permitted by the rule. The concessions under this rule are clearly not intended to affect the privileges of Government employees which are admissible under other rules, the concessions may be availed of when they happen to prove additional to or better than the ordinary privileges.

Note 3.—The expression “on the termination of his leave”, in clause (a) (iii) of this rule means “on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted.” The effect of this interpretation will be to make the same leave salary admissible for the period of transit in India as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and the period of transit in India been leave proper or joining time under Rule 9.1 as the case may be.

Note 4.— Omitted.

VII. RETURN FROM LEAVE

(1) Before expiry of leave.

8.43. (1) A Government employee on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.

(2) Notwithstanding anything contained in sub-rule (1) a Government employee on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the authority empowered to appoint him.

(2) Return from leave on Medical Certificate.

8.44. (i) A Government employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate in the following form:-

Signature of the applicant _____.

I _____ Civil Surgeon, Principal Medical Officer, Assistant to Civil Surgeon of _____

I _____ ¹Registered Medical Practitioner of _____ do hereby certify that I have examined A.B.C. of the _____ Department whose signature is

[Chap. VIII] LEAVE [8.44-8.47]
given above and find that he has recovered from his illness and is now fit to resume duties in Government service. I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at my decision.

The original medical certificate(s) and statement(s) of the case on which the leave was granted or extended shall be produced before the authority asked to issue the above certificate. For this purpose, the original certificate(s) and statement(s) should be prepared in duplicate, one copy being retained by the Government employee concerned.

¹ See rule 8.13

(ii) The authority under which the Government employee will be employed on return from leave may, if it considers necessary, obtain a second medical opinion about the fitness of the Government employee to resume duty by requesting the Civil Surgeon, the Principal Medical Officer or the Assistant to Civil Surgeon to medically examine the Government employee.

In the exceptional cases, the certificate may be obtained from a Commissioned Medical Officer or a Medical Officer-in-charge of a Civil Station.

If the Government employee on leave is not a Group 'A' or Group 'B' officer the authority under which the Government employee will be employed on return from leave, may, at his discretion, accept a certificate signed by any registered medical practitioner.

Note.—A Government employee who had been suffering from tuberculosis may be allowed to resume duty on the basis of fitness certificate which recommends light work for him.

8.44-A. Omitted.

(3) Report of return from leave.

8.45. A Government employee, on return from leave, must report his return to the authority granting the leave.

8.46. A Government employee returning from leave is not entitled, in the absence of specific orders to that effect, to resume, as a matter of course, the post

which he held before going on leave. He must report his return to duty and await orders.

VIII. OVERSTAYAL OF LEAVE

8.47. (1) Unless the authority competent to grant leave extends the leave, a Government employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave

[8.47-8.50] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]
account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.

(2) Wilful absence from duty after the expiry of leave renders a Government employee liable to disciplinary action.

IX. LEAVE-SALARY

(1) General

8.48. Subject to any instructions given by the competent authority in connection with the control of the issue of money from treasuries or by the Comptroller and Auditor General of India in order to secure efficiency and uniformity of audit, the following rules prescribe the procedure to be followed: –

(i) in the payment of leave-salary; and

(ii) in the maintenance of record of service.

Note.—The instructions regarding leave procedure and maintenance of service record are given in Appendix-11 in Part II of this Volume.

(2) Payment of leave-salary.

8.49. (1) Unless the competent authority by general or special order otherwise directs, leave salary shall be drawn in rupee in India.

(2) Omitted.

(3) Omitted.

(4) Omitted.

(5) Omitted.

X. LEAVE ACCOUNTS

8.50. A leave account for each Government employee subject to the Revised Leave Rules contained in Section III of this Chapter, shall be maintained in form Punjab C.S.R. No.16.

Note 1.—A separate leave account should be kept of the leave earned by a Government employee serving under a Government and then transferred to another Government and all leave taken after the date of transfer should be debited to this account so long as the balance

under it is not exhausted and the allowance drawn during all leave which is so debited should be charged to that Government.

Note 2. Omitted.

Note 3.—The balance of earned leave or half pay leave at the credit of a Government employee shall invariably be indicated on the order sanctioning such leave to that employee.

[Chap. VIII]

LEAVE

[8.51-8.58]

8.51. The leave account of a Group 'A' or 'B' and Group 'C' or 'D' Government employee shall be maintained by the Head of the Department and by the Head of Office, as the case may be, in which he is employed.

XI. EXTENT AND APPLICATION

(1) Application of Revised Leave Rules

8.52. For purposes of grant of leave and leave salary, the Government employees other than those engaged on contract (vide Rule 8.57) or those for whom special provision regarding leave has been made, are subject to the revised leave rules contained in Section III of this Chapter.

Note.—The staff employed on Central Agency Work will be governed by the leave rules of the Central Government or these rules in accordance with the provisions set forth in Annexure II of section I of this Chapter.

8.53. Omitted.

8.54. Omitted.

8.55. The rules in this section are not applicable to Government employees paid from Defence Estimates who are temporarily transferred to service, paid from Civil Estimates, (including service in a tenure post). Such Government employees remain subject to the rules which applied to them before their transfer.

8.56. Omitted.

8.57. Leave admissible to Government employees engaged on contract will be determined by the terms of their contracts: Provided that no leave will be admissible

in excess of the leave which would be admissible to a Government employee holding a permanent post.

Note.—Model Leave Terms for Government employees engaged on contract are given in Part I of Appendix–16, in Punjab Civil Services Rules, Volume I, Part II.

8.58. Leave on medical certificate to Government employees subject to Rules 8.131 and 8.132 shall not be granted for a period extending beyond the term of the Government employee’s contract unless or until it has been decided to retain him in permanent employment.

Note.—The provisions of Rule 8.21 apply *mutatis mutandis* to Government employees engaged on contract.

[8.59-8.61] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(2) Periods of Off Duty which are not treated as Regular Leave.

(a) Vacation

8.59. Unless the contrary appears from the context vacation counts as duty and not as leave.

A competent authority may specify the departments or parts of departments which should be treated as vacation departments and the conditions in which a Government employee should be considered to have availed himself of a vacation.

Note.—The orders issued under this rule are given in the Annexure I to this section.

(b) Casual and Quarantine leave

8.60. A Government employee on casual leave or on quarantine leave is not treated, as absent from duty and his pay and allowances are not intermitted, as such leave is not recognised regular leave and is not subject to the rules in this Chapter.

8.61. Rules regulating the grant of casual leave and quarantine leave are given in Appendix 17 in Part II of this Volume.

ANNEXURE I

(See Rule 8.59)

1. A vacation department is a department, or part of a department, to which regular vacations are allowed during which Government employees serving in the department are permitted to be absent from duty.

2. (i) The following classes of Government employees serve in vacation department when the conditions of paragraph 1 above are fulfilled :—

(a) Educational Officers, other than the Director of Public Instruction and inspecting officers, and their establishment.

(b) Judicial officers of rank not higher than that of subordinate judge and their establishments –

(c) Any other class of Government employees which a competent authority may declare to be so serving.

(ii) In case of doubt, a competent authority may decide whether or not a particular Government employee is serving in a vacation department.

[Chap. VIII]

LEAVE

[Annexures I & II]

Note 1.—District and Sessions Judges may, with the express permission of the Hon'ble Judges of the High Court, avail themselves, without prejudice to their regular leave, of so much of the vacation during the month of September as is not needed for the disposal of Criminal business : Provided that suitable arrangements, with the approval of the High Court, can be made for the disposal of work and that the State is not put to any additional expenditure in the way of telegraph, postal or other similar charges. At places where there are two or more Judges in a Sessions Court, they may subject to the condition that at least one of them remains on duty, avail themselves of the vacation on dates falling between the 24th August and 8th October. Vacation in their case shall be treated as recognised holidays.

Note 2.—A complete list of Government employees serving in vacation departments is given in Appendix 18 in Part II of this Volume.

3. A Government employee serving in a vacation department shall be considered to have availed himself of a vacation, or a portion of a vacation, unless he has been required, by general or special order of a higher authority, to forego such vacation, or portion of a vacation: Provided that if he has been prevented by such an order from enjoying more than 15 days of vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 1.—A Government employee who has routine duties to discharge during a vacation which do not require his presence at his place of duty and which can be performed either by himself at some other place or by some other Government employee, shall be considered to have availed himself of a vacation or a part of it. A Government employee who absents himself from his place of duty during any part of vacation is expected to arrange for and is responsible for the performance without any cost to Government, of such routine duty. Should a Government employee who is absent from the place of duty during any portion of a vacation be recalled thereto, he will not be entitled to travelling allowance unless the vacation is combined with leave.

Note 2.—The words “higher authority” occurring in this paragraph mean in the case of the head of an office or institution the Head of Department and in other cases the head of the office or institution.

ANNEXURE II

(Referred to in Note 3 below Rule 8.52)

1. The staff employed on Union Agency work will be governed by the leave rules of the Union Government or the rules of the Punjab Government in accordance with the following principles.

[Annexure II] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

2. Such staff may be divided into the following categories:—

- (a) Personnel recruited for and employed in agency departments whose pay, leave salary, allowances and pensions are charged direct to the Union Government, i.e., personnel who are paid direct by the Union Government but who are technically under the administrative control of the Punjab Government.
- (b) Personnel recruited and employed in connection with the affairs of the Punjab, whose pay, leave salary, allowances and pensions are charged to State revenues, but whom the Punjab Government employs temporarily on agency work. For their services the Union Government pays the Punjab Government an agreed sum and the entire leave charges are borne by the latter.

- (c) Personnel as in category (b) above whose services are employed by the Punjab Government part-time or casually, on performing Union Agency duties. For their services the Union Government usually pays an agreed sum to the Punjab Government which includes leave charges.
- (d) Personnel falling in either of the three categories given above who have from 1st April, 1937 come under the direct control of the Union Government on resumption by them of the administrative control over certain agency functions.

3. (i) The Government employees belonging to category (a) who were recruited on or after 1st April, 1937 would be governed, by the leave rules of the Union Government.

(ii) The Government employees falling under categories (b) and (c) (irrespective of the dates of recruitment) would remain under the leave rules of the Punjab Government and the Union Government would meet their share of leave charges as calculated under these rules.

SECTION II

Old Leave Rules

8.62 to 8.112. Omitted.

[Chap. VIII]

LEAVE

[8.113]

SECTION III—REVISED LEAVE RULES

DEFINITIONS

8.113. In the rules in this section –

- (i) “leave” includes earned leave, half pay leave, commuted leave, leave not due and extraordinary leave;

- (ii) “earned leave” means leave earned in respect of periods spent on duty;
- (iii) “half pay leave” means leave earned in respect of completed years of service;
- (iv) “earned leave due” means the amount of earned leave to the credit of a Government employee, calculated in the manner prescribed in rules 8.116, 8.117 and 8.133, as the case may be, diminished by the amount of earned leave taken by him under these rules;
- (v) “Half pay leave due” means the amount of half pay leave calculated as prescribed in Rule 8.119 for the entire service diminished by the amount of half pay leave taken under these rules;
- (vi) “Commutated leave” means leave taken under, clause (c) of Rule 8.119.
- (vii) “Government employee in a permanent employ” means a Government employee who holds substantively a permanent post or holds a lien on a permanent post.
- (viii) “Completed years of service” and “one year’s continuous service’ means continuous service of the specified duration under the Punjab Government and includes periods spent on duty as well as on leave including extraordinary leave;

- (ix) "Military Officer" means an officer of the Armed Forces who is –
- (i) a Commissioned Officer of the Army, Navy or the Air Force; or
 - (ii) (a) a junior commissioned officer (including an honorary commissioned officer) or an "other rank" of the Army; or
 - (b) a Branch list officer or a rating of the Navy, or
 - (c) an air-man including a Master Warrant Officer of the Air Force.
- (x) "Vacation Department" means a department, or part of a department, to which regular vacations are allowed, during which Government employees serving in the Department are permitted to be absent from duty.

[8.114-8.116] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

GENERAL RULES AND CONDITIONS

8.114. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

8.115. The authority which granted leave to a Government employee can commute it retrospectively into leave of a different kind which may be admissible but the Government employee concerned cannot claim it as a matter of right.

8.115-A . Omitted.

PART–A. LEAVE TO GOVERNMENT EMPLOYEES IN

PERMANENT EMPLOY

GENERAL PROVISIONS

(i) Earned Leave

8.116. (i) The earned leave admissible to a Government employee in permanent employ is :-

- (a) 1/24th of the period spent on duty, during the first 10 years of his service;
- (b) 1/18th of the period spent on duty during the next 10 years of his service; and 1/12th of the period spent on duty, thereafter.

Note 1.—For the purpose of assessing the “length of service” under this sub-rule, break in service caused as a result of retrenchment shall not entail forfeiture of previous service. Further, in the case of women Government employees break in service due to resignation as a result of family circumstances of the Government employee concerned, shall also be condoned by the re-appointing authority; provided the duration of break does not exceed 10 years.

Note 2.—In calculating earned leave, the actual number of days of duty performed shall first be counted and then multiplied by 1/12, 1/18, 1/24 as the case may be and the product expressed in days and fraction of day. In case, there is a change in the rate of earning of leave, the fraction in the earned leave shall be rounded off to the nearest day that is fraction below half shall be ignored and that half or more shall be reckoned as one day.

Note 3.—The period spent on duty shall include all kinds of leave, except extraordinary leave, for the purpose of calculation of earned leave.

(ii) Accumulation of earned leave is permissible upto 450 days.

(iii) Leave preparatory to retirement may be allowed upto 300 days on full pay, provided it is due.

Note 1.— Omitted.

[Chap. VIII]

LEAVE

[8.116-8.119]

Note 2.—The leave granted as leave preparatory to retirement shall not include extraordinary leave.

Note 3.—In a case, where a Government employee who is required to retire, or who himself chooses to be retired before the age of superannuation, he may be allowed the leave due and admissible to him as indicated below, provided it does not extend beyond the date on which he attains the age of superannuation:—

(i) leave preparatory to retirement upto 300 days on full pay, if it is due; or

(ii) earned leave upto the extent leave preparatory to retirement is admissible as in clause (i) with permission to combine it with any other kind of leave, if due.

8.117. (a) A Government employee serving in a vacation department, shall be entitled to earned leave of eight days for every completed year spent on duty:

Provided that if in any year, he is prevented from availing himself of the full vacation, earned leave shall be admissible in respect of that year in accordance with the provisions of Rule 8.116:

Provided further that if in any year, he is prevented from availing himself of a part of vacation, the earned leave proportionately admissible to him under sub-rule (b), together with earned leave of eight days admissible under this sub-rule, shall not exceed the maximum earned leave admissible under rule 8.116.

(b) The earned leave admissible to such Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears the full vacation:—

(i) to a Government employee with 10 years' service or less;

15 days.

(ii) to a Government employee with more than ten years service but not exceeding 20 years service;

20 days.

(iii) to a Government employee with over 20 years service;

30 days.

(c) Vacation may be taken in combination with or in continuation of any kind of leave under the rules in this section.

8.118. Omitted.

(ii) Half pay leave, commuted leave and 'Leave not due'.

8.119. (a) The half pay leave admissible to a Government employee in permanent employ in respect of each completed year of 'service' is 20 days.

[8.119] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART [Chap. VIII]
I)

(b) The half pay leave due may be granted to a Government employee on medical certificate or on private affairs.

(c) Commuted leave not exceeding half the amount of half pay leave due may be granted to a Government employee on medical certificate only subject to the following conditions :-

- (i) Commuted leave during the entire service shall be limited to a maximum of (240) days;
- (ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
- (iii) Half pay leave up to a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilised for an

approved course of study certified to be in the public interest by the
leave sanctioning authority:

Provided that no commuted leave may be granted under this rule unless the authority competent to sanction leave has reason to believe that the Government employee will return to duty on its expiry, and provided further that no commuted leave may be granted unless it has been applied for at least 15 days at a time.

Note 1.—The option once exercised will be final and debars a Government employee from claiming re-conversion, as a matter of right, though the authority which granted leave can (if so disposed) allow it.

Note 2.—When commuted leave is granted to a Government employee under this rule and he intends to retire subsequently, the commuted leave should be converted into half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave should be recovered. An undertaking to this effect should, therefore, be taken from the Government employee who avails himself of commuted leave but the question whether the Government employees concerned should be called upon to refund the amount drawn in excess as leave salary should be decided on merits of each case, i.e. if the retirement is voluntary, refund should be enforced, but if the retirement is compulsorily thrust upon him by reason of ill-health, incapacitating him for further service or in the event of his death no refund should be taken.

(d) Save in the case of leave preparatory to retirement 'leave not due' may be granted to a Government employee in permanent employ for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all, may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the Government employee may earn subsequently.

Note 1.—Leave not due should be granted only if the authority empowered to sanction leave is satisfied that there is reasonable prospect of the Government employee returning to

[Chap. VIII]

LEAVE

[8.119]

duty on the expiry of the leave and should be limited to the half pay leave he is likely to earn thereafter.

Note 2.—Omitted.

Note 3.—Omitted.

Note 4.—As for half pay leave in respect of a completed year of service during which service was rendered partly in a Group 'C' post and partly in a Group 'D' post, this leave will be calculated on a pro-rata basis separately in respect of Group 'C' service or Group 'D' service and then added up. The fraction, if any, present in the total half pay leave for the particular year will be ignored if it is less than half, or reckoned as one day if it is half or more.

Note 5. Omitted.

Note 6.—The half pay leave earned by a Government employee in respect of a completed year of service can be availed of by him during the course of a spell of leave or during an extension thereof within which the date of anniversary of service falls.

Note 7.—Where a Government employee who has been granted ‘Leave not due’ under this clause applies for permission to retire, voluntarily, the ‘leave not due’ shall, if the permission is granted be cancelled and his retirement shall have effect from the date on which such leave commenced. An undertaking to this effect should, therefore, be taken from Government employee as who avail of ‘Leave not due’. But the question whether a Government employee should be called upon to refund the amount of leave salary should be decided on the merits of each case e.g. if the retirement is voluntary refund should be enforced: if it is unavoidable by reason of ill health incapacitating him for further service or in the event of his death no refund should be insisted upon.

Note 8.—When “leave not due” is granted to a Government employee under this clause and he applied for permission to retire voluntarily or resigns of his own volition at any time after returning to duty, the question of refund of leave salary in respect of the leave not due already availed of before return to duty shall, to the extent it has not been subsequently wiped off, be treated in the same way as laid down in note 7 above.

Note 9.—Where a Government employee who having availed himself of the ‘leave not due’ returns to duty and is retired from service under sub-rule (1) of rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975 and has not been able to earn half pay leave to the extent of the ‘leave not due’ granted to him before such retirement, he shall not be called upon to refund the amount of leave salary in respect of that ‘leave not due’.

8.120. Omitted.

[8.121- THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART [Chap.VIII]
8.122] I)

(iii) Extraordinary Leave.

8.121. (1) Extraordinary leave may be granted to any Government employee in special circumstances:—

- (a) when no other leave is admissible, or
- (b) when other leave is admissible, but Government employee concerned

applies in writing for the grant of extraordinary leave.

(2) The authority empowered to grant leave may commute retrospectively:–

(a) period of absence without leave into extraordinary leave.

(b) extraordinary leave granted into leave of a different kind if the latter type of leave was admissible at the time extraordinary leave was granted.

Note 1.–The power of commuting retrospectively, period of absence without leave into extraordinary leave under clause (b) is absolute and not subject to the conditions mentioned in clause (a); in other words, such a commutation is permissible even when other leave was admissible to the Government employee concerned at the time his absence without leave commenced. This concession, however, cannot be claimed by Government employee as a matter of right.

Note 2.–The concession admissible under clause (2) cannot be claimed by a Government employee as a matter of right.

Note 3.–Extraordinary leave granted to a Government employee on medical certificate may be commuted retrospectively into 'leave not due' at the discretion of the authority competent to sanction leave in respect of extraordinary leave taken on medical certificate after the 31st August, 1949. Such a commutation is also permissible in a case where extraordinary leave was granted to a Government employee on medical certificate during temporary service after the 31st August, 1949, and he is subsequently confirmed or declared

quasi-permanent with effect from a date earlier than the commencement of the extraordinary leave.

Note 4.—Extraordinary leave taken by a Government employee otherwise than on medical certificate after the 11th September, 1955, may also be Commuted into 'leave not due' at the discretion of the authority competent to sanction leave.

LEAVE SALARY

8.122. (1) An officer on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

(2) An officer on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (1)

(3) An officer on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (1).

[Chap. VIII]

LEAVE

[8.122]

(4) An officer on extraordinary leave is not entitled to any leave salary.

(5) Omitted.

(6) In the case of a person to whom the Employees State Insurance Act, 1948 (34 of 1948) applies, leave salary payable during leave, other than earned leave, shall be reduced by the amount of benefits payable under the said Act for the corresponding period.

(7) Leave salary up to one month may be allowed in advance to all Government employees proceeding on earned leave subject to the following conditions:—

(a) No advance may be granted when the leave taken is less than thirty days;

(b) The amount of the advance should be restricted to the net amount of leave salary for the first month of leave that is clearly admissible to the Government employee after deductions on account of Income Tax, Provident Fund, contribution towards New Defined Contributory Pension Scheme, house rent, repayment of advances etc.;

(c) The advance should be adjusted in full in the leave salary bill in respect of the leave availed of where the advance cannot be adjusted in full, the balance should be recovered from the next payment of pay or and leave salary;

(d) The advance may be sanctioned by the Head of office or by any other subordinate officer to whom the power may be specially delegated, to all Government employees irrespective of the Group of Service to which they belong. Officers who are Heads of Offices may sanction the advances themselves;

(e) The amount of advance will be debited to the head of account to which the pay, etc., of the employee is debited and the adjustment of the advance will be watched by the Drawing & Disbursing Officer.

(f) Advances shall be sanctioned in whole rupee.

(8) If a Government employee including a military pensioner re-employed in civil service, dies while in service, the cash equivalent of the leave salary (carrying the appropriate amount of dearness allowance) in respect of earned leave at his credit subject to a maximum of 300 days in entire service, shall be paid to his family.

Note.— During re-employment after retirement from pensionable service, if pension of a Government is allowed to be drawn separately, a suitable reduction being made in the re-employed pay, his leave salary during the period of earned leave or half pay leave or commuted leave, shall be based on the net re-employed pay i.e. exclusive of the pension and

[8.122- THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART [Chap.VIII]
8.124] I)

he shall continue to draw the pension separately in addition. The pension shall continue to be drawn by him during the period of extraordinary leave also.

8.123. Omitted.

ADDITIONAL KIND OF LEAVE IN SPECIAL CIRCUMSTANCES

(i) Special Disability Leave

8.124. Subject to the conditions in clauses hereunder:—

(1) Such leave shall not be granted unless the disability manifested itself within 3 months of the occurrence to which it is attributed and the persons disabled acted with due promptitude in bringing it to the notice, but the competent authority

if it is satisfied as to the cause of disability may permit leave to be granted in cases where the disability manifested itself more than 3 months after the occurrence of its cause.

(2) The period of leave granted shall be such as is certified by the authorised Medical Attendant of the Government employee concerned to be necessary. It shall not be extended except on the certificate of that authority and shall in no case exceed 24 months.

(3) Such leave may be combined with leave of any other kind.

(4) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(5) (a) In the case of a person to whom Workmen's Compensation Act, 1923 applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4(1)(d) of the said Act.

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable shall be reduced by the amount of benefit admissible under the said Act, for the corresponding period.

(6) The provisions of this rule apply to a Civil employee disabled in consequence of service with a Military force if he is discharged as unfit for further

military service but is not completely and permanently incapacitated for further Civil service and to a Civil employee, not so discharged who suffers a disability, which is certified by a Medical Board, to be directly attributable to his service, with a military force; but in either case, any period of leave granted to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

Note.— The intention of the above clause is not that special disability leave should be given to cover any portion of Government employee's military service, but that it should

[Chap. VIII]

LEAVE

[8.124-8.126]

be admissible only after the Government employee's discharge as unfit for further military service.

A competent authority may grant special disability leave to a Government employee who is disabled by injury intentionally inflicted or caused in or in consequence of, due performance of his official duties or in consequence of his official position, as follows:—

- (I) Such leave shall be counted as duty in calculating service for pension, but half the amount of such leave on full pay taken under clause III below shall be counted as "earned leave" taken.
- (II) Leave salary during such leave including a period of such leave granted under condition (4) above shall be equal to full pay for the first 120 days.
- (III) For the remaining period of any such leave, to half pay, or at the Government employee's option for a period not exceeding the period of earned leave, otherwise admissible to him under rule 8.116 or 8.117 to full pay.

Note.– Leave salary during special disability leave will be regulated under rule 8.122.

8.125. The application of provisions of Rule 8.124 may subject to the conditions given below be extended by a competent authority to Government employees disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty, which has the effect in increasing his inability to illness or injury, beyond the ordinary risk attaching to the Civil post, which he holds:–

- (1) The disability if due to disease must be certified by the Authorised Medical Attendant of the Government employee concerned to be directly due to the performance of the particular duty;
- (2) If the Government employee has contracted such disability during service, otherwise than with a military force, it must be in the opinion of the competent authority exceptional in character;
- (3) The period of absence recommended by the Authorised Medical Attendant of the Government employee concerned may be covered in part by leave under this rule and in part by other leave; and
- (4) The amount of special disability leave granted on full pay shall be less than 120 days.

(ii) Study Leave

8.126. Leave may be granted to Government employees on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical or similar problems or to undergo special courses of

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.VIII]

[8.126

-8.127]

instruction. Such leave is not debited against the leave account.

Note.—For general orders issued under this rule see Appendix 20 in Part II of this Volume.

(iii) Maternity Leave and Hospital Leave

8.127. (a) The competent authority under Rule 8.23 may grant to a female Government employee maternity leave on full pay for a period not exceeding 180 days without the necessity of production of a medical certificate and the grant of such a leave, shall be so regulated that the date of confinement falls within the period of this leave and the leave so granted shall not be debited against the leave account of the female Government employee:

Provided that no leave under this sub-rule shall be granted to a female Government employee who has three or more living children.

Note.—Extension in leave, if any, on the expiry of maximum period of 180 days maternity leave, shall be permissible by the grant of leave of the kind due.

Note 1.—During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. The term “pay” in this rule includes officiating pay: provided the authority sanctioning the leave certifies that the Government employee would have continued to officiate had she not proceeded on leave.

Note 2.—Where a female Government employee has less than two living children, maternity leave under this rule may also be granted in cases of miscarriages and abortion including abortion included under the Medical Termination of Pregnancy Act, 1971, subject to the conditions that the leave does not exceed six weeks and the application for leave is supported by a certificate from a registered medical practitioner specified in rule 8.13 and, in case of doubt, certificate of a Principal Medical Officer or Assistant to a Civil Surgeon or Senior Medical Officer may be called for:

Provided that a female Government employee having two or more children shall not be entitled to avail of this concession, but if required, can be sanctioned leave of the kind due, on the production of a medical certificate.

Note 3.—In the case of a person to whom the provisions of Employees’ State Insurance Act, 1948 apply, leave salary payable under this rule shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

8.127. (b) Any other kind of leave may be permitted to be prefixed in maternity leave without insisting on a medical certificate. But any leave applied for in

continuation of maternity leave may be granted only if the request is supported by a medical certificate.

Note 1.—This rule does not preclude the grant of maternity leave in continuation of leave of any kind.

Note 2.—Omitted.

[Chap. VIII]

LEAVE

[8.127-8.128]

Note 3.—Regular leave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female Government employee producing a medical certificate from the authorised medical attendant to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

8.127. (c) The competent authority under rule 8.23 of these rules may grant hospital leave to a Group 'D' Government employee and such Group 'C' Government employee whose duties involve handling of dangerous machinery, explosive material, poisonous drugs, etc., or the performance of hazardous tasks, while under medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

Note 1.—In the case of persons to whom the Workmen's Compensation Act, 1923 applies the amount of leave salary shall be reduced by the amount of compensation payable under Section 4(1) (d) of the said Act.

Note 2.—Industrial and work-charged staff will also be entitled to Hospital leave in the same manner as other State Government employees.

Note 3.—Hospital leave should be granted on the production by the Government employee concerned of a medical certificate from a superior officer, not below the rank of Senior Medical Officer to the effect that the illness or injury was directly due to risk incurred in the course of official duties and also that the leave recommended is necessary to effect a cure.

Note 4.—In the case of a person to whom the provisions of Employees' State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

8.127. (d) Hospital leave may be granted for such period as the authority granting it may consider necessary, on leave salary.

(i) equal to leave salary while on earned leave, for the first 120 days of any period of such leave; and

(ii) equal to leave salary during half pay leave, for the remaining period of any such leave.

8.127. (e) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible; provided that the total period of leave, after such combination, shall not exceed 28 months.

(iv) Paternity Leave

8.128. (1) A male Government employee having less than two surviving children, may be granted Paternity Leave upto a maximum of 15 days (after commuting half pay leave of 30 days).

[8.128-8.128B] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.VIII]

(2) Such leave shall be admissible during the confinement of his wife for childbirth, i.e. upto 15 days before or upto 15 days after the date of delivery of the child.

(3) During the period of such leave, the Government employee shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

Note. – Paternity leave shall not normally be refused.

(v) Adoption Leave

8.128-A. Adoption leave may be granted to a woman Government employee, who does not have her own children and adopts a newly born child. Such leave shall be granted subject to the following conditions: –

(i) the adoption should be valid under the law;

(ii) the leave shall commence from the date of adoption of the child and shall be granted for a period up to three months or till such day the child is three months old, whichever is earlier;

(iii) during the period of such leave, the Government employee shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave; and

(iv) adoption leave shall not be debited to the leave account of the Government employee.

(vi) Child Care Leave

8.128-B. (1) Subject to the provisions of this rule a woman Government employee having minor children below the age of eighteen years, may be granted Child Care Leave for a maximum period of one year (i.e. 365 days) during her entire service for taking care of two eldest surviving children, whether for rearing or to look after any of their needs such as examination, sickness and the like, on production of a documentary proof.

(2) Such leave may be granted in more than one spells, but it shall not be granted in more than three spells in a calendar year. However, it shall not be granted for a period of less than fifteen days.

(3) The grant of leave under this rule shall be subject to the provisions of rule 8.15. If the exigencies of public service so require, the authority empowered to grant

leave, may refuse to sanction leave to a Government employee or may cancel the leave already sanctioned in any case.

(4) Child Care Leave shall be sanctioned as in the case of earned leave and no Government employee shall proceed on such leave without obtaining prior approval of the competent authority.

[Chap. VIII]

LEAVE

[8.128-B]

(5) Child Care Leave shall not be granted under any circumstances to a Government employee, who remains on an unauthorised absence from duty and applies for it.

(6) During the period of such leave, the Government employee shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

(7) This Leave shall not be debited against the regular leave account of the Government employee. However, a separate Leave Account for this Leave shall be maintained in a proforma, as may be specified and the entries relating to this Leave shall be made in the Service Book of the concerned employee.

(8) Child Care Leave shall not be sanctioned in the case of a woman Government employee,—

(a) against whom a disciplinary proceeding has been instituted or who is under suspension; or

(b) who is under probation period:

Provided that an authority empowered to grant leave may grant leave to such a Government employee after considering a medical certificate, countersigned by a medical authority not below the rank of Civil Surgeon, to the effect that the minor child is suffering from some serious ailment which warrants mother's immediate personal care; or

(c) who has been appointed on daily wages, work-charged or contract basis.

(9) Leave already availed or being availed of by a Government employee shall, under no circumstances, be converted into Child Care Leave.

Clarification.—(i) Child Care Leave in connection with the examination or illness of a minor child living abroad, shall be sanctioned on the basis of a certificate issued in this regard by the concerned educational institution or by an authorised doctor, as the case may be. The woman Government employee, who avails Child Care Leave in respect of a minor child living abroad, shall have to comply with all the rules/instructions for proceeding on ex-India leave and eighty per cent period of such leave shall have to be spent in the country where the child is living;

(ii) before Child Care Leave is sanctioned relating to the examination of a minor child, who lives in a hostel in India or abroad, the Government employee shall have to clarify how the needs of such a minor child will be looked after by her;

(iii) Leave Travel Concession shall not be permitted during Child Care Leave; and

[8.128B-8.129A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.VIII]

(iv) a spell, which begins during a calendar year and ends in the next calendar year, shall be deemed as a spell pertaining to the calendar year in which the spell begins.

8.129. Omitted.

8.129-A. Notwithstanding anything contained in rule 8.119, 8.133 and 8.137, where a military officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as follows:—

- (a) (i) Instead of annual leave, he may be granted earned leave as calculated under rule 8.116 from the beginning of the calendar year following that in which he becomes subject to this rule, his leave account being initially credited with the earned leave equal to the number of days of annual leave which, on the date on which he becomes subject to this rule, it would be permissible to grant him under the leave rules of the Armed Forces:

Provided that, if annual leave under the leave rules of the Armed Forces is not admissible in respect of the calendar year of transfer,

duty counting for earned leave shall commence on the date on which he becomes subject to this rule:

Provided further that in the case of Military Officer serving in a vacation department the provisions of rule 8.117, shall apply, *mutatis mutandis* to the calculation and grant of leave:

Provided also that a military officer holding substantively a tenure post, who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any annual leave taken under the leave rules of the Armed Forces during the period being treated as earned leave taken under this rule.

(ii) He may also be granted any leave, other than annual leave, admissible under the leave rules of the Armed forces either alone or in combination with earned leave.

- (b) The total period of leave shall be regulated by the limit in force under the leave rules of the Armed forces to which the military officer is subject.

- (c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the military officer concerned at the time it was granted:

LEAVE

[8.129A-8.129C]

Chap. VIII]

Provided that except in the case of military officer holding substantively a tenure post, no leave under clause (ii) of sub-rule (a) may be granted to such military officer unless the civil authority which grants the leave is prepared to re-employ him immediately upon the termination of the leave:

Provided further that in the case of a military officer holding substantively a tenure post, leave under clause (i) of sub-rule (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in sufficient time before the expiry of the fixed term and refused owing to the exigencies of public service.

- (d) Any leave granted under this rule to a military officer holding civil appointment of limited tenure shall not exceed beyond the term of his civil appointment.

8.129-B. A military officer in civil employ shall cease to be governed by rule 8.129-A with effect from date from which he is released or discharged from the

Armed Forces and shall with effect from the date of such release or discharge become subject to these rules, the earned leave due to him on that date being carried forward.

8.129-C. Where a military officer is appointed substantively to a permanent civil post (other than a tenure post) there shall be credited initially in his account—

(a) (i) earned leave equal to the number of days of the annual leave which, on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces, or

(ii) earned leave, if any, which, on the date on which he is so appointed, it would be permissible to grant him under rule 8.129-A:

Provided that where such appointment is made in the calendar year in which the military officer was transferred to civil employ, the credit under clause (i) shall be reduced by $1/12^{\text{th}}$ of the duty intervening between the date of that appointment and the termination of the calendar year of transfer but no reduction shall be made if annual leave is not admissible in respect of the calendar year of transfer;

(b) half pay leave equal to the number of days of furlough which, on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.

LEAVE TO GOVERNMENT EMPLOYEES

ON DEPUTATION OUT OF INDIA

8.130. Unless the competent authority in any case otherwise directs, the following provisions apply to Government employees placed on deputation out of India, if the period of the deputation exceeds one year :-

- (a) The period of deputation shall not count as duty for the purpose of this chapter.
- (b) The amount of leave which can be earned by the deputation shall be determined by the competent authority. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government employee's leave account. Leave salary during such leave shall be equal to the rate of deputation pay:

Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceeds one year, these provisions shall apply only in respect of the period in excess of one year.

PART B—LEAVE TO PROBATIONERS AND APPRENTICES

LEAVE TO PROBATIONERS

8.131. During the period of probation, a probationer is entitled to leave as follows:—

(1) If appointed under contract, to such leave as is prescribed in his contract;

or

(2) (i) if there be no such prescription in the contract or

(ii) if appointed otherwise, to such leave as would be admissible to him

under the leave rules which would be applicable to him if he held his

post substantively otherwise than on probation. If for any reason it is

proposed to terminate the services of a probationer, any leave which

may be granted to him should not extend beyond the date on which

the probationary period as already sanctioned or extended expires, or

any earlier date on which his services are terminated by the order of

an authority competent to appoint him.

Note.—See also rule 8.58.

LEAVE TO APPRENTICES

8.132. During the period of apprenticeship, an apprentice is entitled to leave as follows: —

(1) if appointed under contract, to such leave as is prescribed in his contract;

or

- (2) (i) if there be no such prescription in the contract; or
- (ii) if appointed otherwise;
- (a) to leave on medical certificate on leave salary equivalent to half of the pay on the last day of duty prior to commencement of leave for a period not exceeding one month in any year of apprenticeship if the period of apprenticeship is less than one year, proportionate leave will be admissible, viz. for Nine/Six/Three months, period of apprenticeship, leave admissible will be twenty-one/fifteen/seven days, respectively; and
- (b) to extraordinary leave under rules 8.121.

Note 1.—See also rule 8.58.

Note 2.—This rule has reference to leave earned or taken during the apprentice period only and not afterwards. See also rule 2.16 (a) (1).

Note 3.—Paid candidates will be treated as apprentices for the purpose of this rule.

Note 4.—The leave at the credit of a Government employee on the date of his appointment as an apprentice under Punjab Government should not lapse but may be allowed to be carried forward on his appointment to a post under Punjab Government on the expiry of the period of apprenticeship.

PART C—LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE, SERVICE WHICH IS NOT CONTINUOUS AND PART TIME SERVICE OR SERVICE REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA ON DAILY WAGES.

LEAVE TO GOVERNMENT EMPLOYEES NOT
IN PERMANENT EMPLOY

- (i) Earned leave, half pay leave, commuted leave and 'Leave not due'

8.133. The provisions of rules 8.116 to 8.119 apply also to a Government employee not in permanent employ, provided that—

- (a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry ; and
- (b) leave not due for a period not exceeding 360 days during the entire service shall not be granted to such an employee unless he is suffering from T.B., Leprosy, Cancer or mental illness and the following conditions are fulfilled:—

[8.133-8.137-A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.VIII]

- (i) that the Government employee has put in a minimum of one year's service;
- (ii) that the post from which the Government employee proceeds on

leave is likely to last till his return to duty; and

(iii) the request for the grant of such leave is supported by a medical certificate of the authorised Medical Attendant.

8.134. Omitted.

8.135. Omitted.

8.136. No leave is admissible to temporary establishment paid from contingencies on contingent bills. Such establishment may, however, be allowed extraordinary leave under rule 8.137.

(ii) Extraordinary Leave

8.137. The provisions of rule 8.121 shall also apply to a Government employee not in permanent employment but the period of extraordinary leave on any one occasion does not exceed –

- (i) two years in the case of a Government employee who has been in continuous Government service for a period exceeding one year; and
- (ii) one year in the case of a Government employee whose service is less than one year.

Note 1.—Where a Government employee, who is not a permanent employee, fails to resume duty on the expiry of the maximum period of extraordinary leave granted to him or where such a Government employee who is granted a lesser amount of extraordinary leave than the maximum amount admissible, remains absent from duty for any period which

together with the extraordinary leave granted exceeds the limit up to which he could have been granted such leave under this rule, he shall be liable to be removed from service in accordance with the procedure laid down in the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Note 2.—The period of extraordinary leave when separated by a spell of vacation will be treated as one continuous spell of extraordinary leave for applying the limits specified in this rule.

(iii) Maternity Leave

8.137-A. The provisions of rule 8.127(a) and 8.127 (b), shall apply also to a Government employee not in permanent employ.

8.137-B. Omitted.

[Chap. VIII]

LEAVE

[8.137C-8.138A]

(iv) Special Disability Leave

8.137-C. The provisions of rules 8.124 and 8.125 apply *mutatis mutandis* to temporary and officiating Government employees whose leave is regulated by the rules in this part.

(v) Hospital Leave

8.138. (a) The competent authority under rule 8.23 of the rules may grant hospital leave to Head Constables and Constables of the Punjab Armed Police Force and Regular Police Force, Overseers and Sub-Overseers in the Punjab Mental

Hospital and the Establishment of the Government Press, whose leave is regulated by the Rules in this Part.

Note 1.—In the case of persons to whom the Workmen’s Compensation Act, 1923, applies the amount of leave-salary shall be reduced by the amount of compensation payable under Section 4(1)(d) of the said Act.

Note 2.—Industrial and work-charged staff will also be entitled to Hospital leave in the same manner as other state Government employees.

Note 3.—Hospital leave should be granted on the production by the Government employee concerned of a medical certificate from a superior officer, not below the rank of Senior Medical Officer to the effect that the illness or injury was directly due to the risks incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of leave shall be such as may be certified by the Authorised Medical Attendant to be necessary.

(b) Hospital leave may be granted on leave salary equal to either pay drawn immediately before proceeding on earned leave or half pay and for such period, as the authority granting it may consider necessary.

(c) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible: provided that the total period of leave, after such combination, shall not exceed 28 months.

(vi) Terminal Leave

8.138-A. (1) Earned leave to the extent due and admissible at a time can be granted to temporary employees (other than those employed on a contract basis) at the discretion of the sanctioning authority on the termination of service on account of retrenchment or on the abolition of posts before attaining the age of superannuation even when it has not been applied for and refused in the public interest. In all cases, however, where any notice of termination of service is required to be given under the terms of employment of the temporary employee concerned, and that employee is relieved before the expiry of the notice, such notice or the unexpired portion thereof should run concurrently with the leave granted.

[8.138A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.VIII]

(2) Such terminal leave may also be granted to—

- (a) re-employed pensioners who are treated as “new entrants” in the matter of leave, subject to the condition that such pensioners will not be entitled to draw their pension during the terminal leave if the pension was held in abeyance during the period of re-employment;
- (b) persons employed for a period exceeding one year on a contract basis in terms of Appendix 16 to the Punjab Civil Services Rules, Volume I, Part II.
- (c) unqualified persons who may have to vacate their temporary posts to make room for qualified candidates.

- (d) persons whose services may have to be dispensed with, as a matter of administrative convenience as an alternative to the initiation of disciplinary proceedings against them.

Note 1.—This rule shall not apply to apprentices and persons in non-continuous employment of Government who will continue to be governed by the normal rules applicable to them.

Note 2.—Terminal leave under this rule will not be admissible in the following circumstances:—

- (i) where the employee concerned has been dismissed or removed from service, or where service is terminated in the interest of national security ; or
- (ii) where the employee concerned resigns his post of his own volition unless the resignation is for reason of ill-health or for other reasons beyond his control. Leave not exceeding half the amount of earned leave which the Government employee concerned can avail of at a time may, however, at the discretion of the sanctioning authority, be allowed in this case;
- (iii) where the services of a temporary Government employee are lent by commercial concerns or semi-Government organisations on terms which include the payment of leave salary contribution, the grant of leave on termination of the employment under Government will in such cases, be at the cost and within the discretion of the parent employer.

Note 3.—It will not be necessary to extend the temporary post to cover the period of the leave granted to a Government employee at the end of his temporary employment.

Note 4.—Retrenched Government employees who are re-employed either in their own or another department on or before the expiry of their terminal leave with no break in service are to be deemed to be in continuous Government service and allowed the benefit of their previous service for calculating casual and earned leave due to them on their re-employment.

[Chap. VIII]

LEAVE

[8.138A-8.141]

Note 5.— Omitted.

Note 6.—A temporary Government employee continues in service during that part of terminal leave only which runs concurrently with the notice period and ceases to be a Government service on the expiry of the notice period, the leave to the extent it goes beyond the notice period being treated as a terminal benefit only.

(vii) Leave beyond the date of retirement and encashment of leave

8.139. The provisions of rule 8.21 apply *mutatis mutandis* to temporary and officiating Government employees whose leave is regulated by the rules in this Part.

(viii) Leave Salary

8.140. The provisions of rule 8.122 shall apply *mutatis mutandis* in the case of a Government employee governed by the rules in this part.

Note.– Omitted.

LEAVE ADMISSIBLE TO PART TIME GOVERNMENT EMPLOYEES AND GOVERNMENT
EMPLOYEES WHOSE SERVICE IS NOT CONTINUOUS

LAW OFFICERS

(i) Assistant Legal Remembrancers

8.141. An Assistant Legal Remembrancer whose pay is fixed at a definite rate but his whole-time is not retained for the service of Government, may be granted leave as follows:–

- (a) Leave on full pay during the vacation of the High Court; provided that no extra expense is hereby caused to Government; such leave will be counted as duty.
- (b) Leave on half pay for not more than six months once only in his service after six years of duty.
- (c) On medical certificate leave on half pay up to the maximum of 12 months during whole service. When the maximum of 12 months is exhausted, further leave on medical certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendation of a medical board.
- (d) On the conditions prescribed in rule 8.121 extraordinary leave.

Note.—Leave under any one of the clauses of this rule may be combined with leave under other clause.

[8.142] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

(ii) District Attorneys and Government Pleaders

8.142. (a) (1) District Attorneys will ordinarily be permitted to absent themselves from their duties during the period for which the court of the Sessions Judge is closed for the summer vacation, upto a maximum of one month if the State of work permits; but such permission may be withdrawn by the Director of Prosecution and Litigation when the work so requires. In these cases, it should not be necessary to appoint any other person to perform the duties of the District Attorney, who will be permitted to draw his consolidated monthly fees for the period of his absence.

(2) When a District Attorney is refused permission to absent himself from duty during the period of the Sessions Court's vacation, he may, with the sanction of Government, be permitted to absent himself from duty at some other time of the year for a period not exceeding one month, during which time he will continue to draw his consolidated monthly fees.

(3) Apart from the concession in clause (2) a District Attorney may be permitted by the Director of Prosecution and Litigation to absent himself from his duties at any time of the year up to a period of three months, or for a longer period

with the sanction of the Government, during which time he will not be entitled to any remuneration other than that provided in clause (6) below.

(4) During the absence from duty of a District Attorney under the provisions of any of the above clauses arrangements may be made by the Director of Prosecution and Litigation for the discharge of his duties by another legal practitioner. The Director of Prosecution and Litigation may engage a private practitioner either on fees for individual cases at the rates fixed by Government for the employment of private practitioners for criminal case work or on consolidated fees not exceeding the monthly rate fixed by the Government, whichever alternative is in the opinion of the Director of Prosecution & Litigation most economical and conducive to efficiency. Such appointments will be made by the Director of Prosecution and Litigation in consultation with the local authorities.

(5) If no suitable legal practitioner is willing to do the work on the monthly rate fixed by the Government or if the appointment of a private practitioner on fees does not appear appropriate or economical, the Deputy Commissioner should refer the matter with his recommendations to the Director of Prosecution & Litigation for the orders of Government.

(6) If the period of absence (other than any period during which the District Attorney is entitled to draw full fees) does not exceed one month, the District

Attorney may be allowed to draw the difference, if any, between the rate fixed for his fees and the sum paid to his substitute or substitutes.

[Chap. VIII]

LEAVE

[8.142-8.144]

(7) When the same District Attorney is attached to more districts than one, the Deputy Commissioner of each district concerned must be consulted.

(b) (i) Government Pleaders must arrange that their services are available at all times, other than the period of the vacation fixed for subordinate civil courts, unless permission of absence has been given.

(ii) Government Pleaders who are not District Attorneys may be given permission of absence at any time of the year; provided that they can be spared. Such permission must be obtained from the Director of Prosecution & Litigation through the Deputy Commissioner.

Editor and Reporters of the Indian Law Reports

8.143. The Editor and Reporters engaged in the production of the Indian Law Reports (Punjab Series) who are part-time Government employees earn leave upto 1/12th of the period spent on duty. They can be granted leave up to the maximum of 120 days at any one time and will be allowed leave salary equal to the pay on the day before the leave commences; provided no extra expense is thereby caused to Government.

Departmental Sub-Registrar

8.144. Subject to the deduction of the amount of leave actually enjoyed from the amount of leave which has been earned a Departmental Sub-Registrar may be granted leave as follows:—

(i) Leave with pay—

(a) Leave on full pay not exceeding one year in the whole of his service upto 1/12th of the period spent on duty subject to the conditions that—

(1) Leave earned cannot at any one time be granted to an extent greater than 120 days; and

(2) Of leave so granted 1½ months will be leave without medical certificate and the rest on medical certificate.

(b) Leave on medical certificate on half pay for not more than six months during his service after the completion of six years of duty.

(ii) Leave without pay—

(a) without medical certificate, for a period not exceeding one year during the whole of his service; a Sub-Registrar who is also a member of the Union Parliament or States Legislature may in addition be granted

leave for the period he actually attends the meetings of such Parliament or Legislature or of its Sub-Committee.

(b) On medical certificate, without any limit.

(iii) Any combination of leave under clauses (i) (a), (i) (b) and (ii) (a), (ii) (b); provided that no combination under clauses (i) (a), (i) (b) and (ii) (a) at any one time exceeds one year.

LEAVE ADMISSIBLE TO GOVERNMENT EMPLOYEES REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES

8.145. A Government employee remunerated by honoraria may be granted leave on the terms laid down in rule 8.141; provided that he makes satisfactory arrangements for the performance of his duties that no extra expense is caused to Government and that during leave of the kind contemplated by clause (b) of rule 8.141, the whole of the honoraria are paid to the person who officiates in his post.

8.146. Leave to –

(1) A section-writer or a temporary press employee, paid under the piece work system, or a daily labourer, employed in the Public Works Department, if granted leave, is not entitled to any leave salary whatever during his absence.

(2) Labourers employed on a daily wages in Government workshops, power-houses, quarries; electric sub-stations and other similar institutions, or on demolition of buildings, or on blasting operations or roads, or on a power line, a telephone line, a haulageway in the Public Works Department, who are injured while on duty, may be granted leave while under medical treatment for the injury; provided that the injury is directly due to risks incurred in the course of their official duties. The total amount of such leave in any one term of 3 years shall not exceed six months, full wages being allowed for the first three months and half wages thereafter inclusive of compensation under the Workmen's Compensation Act, where such compensation is payable.

8.147. Omitted.

LEAVE RULES APPLICABLE TO PERMANENT SALARIED
INDUSTRIAL EMPLOYEES IN THE PUNJAB GOVERNMENT
GROUP 'C' AND GROUP 'D'

8.148. (1) Leave to permanent Group 'C' and Group 'D' salaried industrial employees shall be admissible in accordance with the provisions of Rule 8.116.

LEAVE

[8.148-8.149]

[Cha

p. VIII]

(2) The half pay leave admissible to an employee in respect of each completed year of service is 20 days and will be accumulative. The half pay leave due may be granted to an employee on medical certificate or on private affairs.

(3) Leave without pay may be granted when no other leave is admissible.

(4) The provisions of rule 8.119 (c) and (d) apply to Government employees whose leave is regulated by the rules in this part except that leave not due will be granted only on medical certificate.

(5) Injury leave at half pay rates may be granted to a permanent salaried industrial employee, below the grade of Overseer or General Foreman who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of section 3 of that Act is applicable. In the case of workers who are declared to be suffering from lead poisoning by certifying Surgeon, injury leave will be admissible on full pay. Such leave shall not be deemed to be leave on medical certificate for the purpose of clause (2). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability and a limit of five years during an employee's total service including service, if any, on the piece establishment. The salary payable in respect of a period of leave granted under this rule shall in the case of an employee to whom the provisions of the Workmen's

Compensation Act, 1923, (VIII of 1923), apply be reduced by the amount of compensation paid under clause (d) of sub-section (1) of section 4 of that Act.

Note.—The expression “pay” in this rule means the pay on the day before the leave commences.

LEAVE RULES APPLICABLE TO OFFICIATING TEMPORARY INDUSTRIAL EMPLOYEES OF PUNJAB GOVERNMENT PRESS, GROUP ‘C’ and GROUP ‘D’.

8.149. (1) The competent authority under rule 8.23 of these rules may grant hospital leave to a Group ‘D’ Government employee and such Group ‘C’ Government employees whose duties involve handling of dangerous machinery, explosive materials, poisonous drug etc. or the performance of hazardous tasks, while under medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

Note 1.—In the case of person to whom the Workmen’s Compensation Act, 1923 applies, the amount of leave-salary shall be reduced by the amount of compensation payable under section 4(1)(d) of the said Act.

Note 2.—Industrial and Work-charged staff will also be entitled to hospital leave in the same manner as other State Government employees.

[8.149] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. VIII]

Note 3.—Hospital leave should be granted on the production by the Government employee concerned of a medical certificate, from a superior officer, not below the rank of

Senior Medical Officer to the effect that the illness or injury was directly due to risks incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of the leave shall be such as may be certified by the Authorised Medical Attendant to be necessary.

8.149. (2) Hospital leave may be granted on leave salary equal to either pay drawn immediately before proceeding on earned leave or half pay and for such period as the authority granting it may consider necessary.

8.149. (3) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible; provided that the total period of leave, after such combination, shall not exceed 28 months.

8.149. (4) Provisions of sub-rules (a), (b) and (c) of rule 8.119, rule 8.137 and sub-rule (1) of rule 8.148 *ibid* shall apply *mutatis mutandis*.

CHAPTER IX

JOINING TIME

CONDITIONS UNDER WHICH ADMISSIBLE

9.1. Joining time may be granted to a Government employee to enable him—

- (a) to join a new post either at the same or new station, without availing himself of any leave on relinquishing charge of his old post;
- (b) to join a new post in a new station on return from—
 - (i) earned leave not exceeding 180 days, in respect of Government employees subject to the Leave Rules in Section III of Chapter VIII;
 - (ii) leave other than that specified in sub-clause (i) when he has not had sufficient notice of his appointment to new post;
- (c) (i) to proceed on transfer or on the expiry of leave from a specified station to join a post in a place in a remote locality which is not easy of access;
- (ii) to proceed, on relinquishing charge of a post on transfer or leave, in a place in a remote locality which is not easy of access to a specified station.

Note 1.—The authority which granted the leave will decide whether the notice referred to in clause (b) (ii) was insufficient.

Note 2.—The joining time and travelling allowance of military officers in civil employ are governed by the civil rules in virtue of the provisions of paragraph 593 of the Regulations for the Army in India (Rules) and paragraph 2 (iii) and 14 of the Defence Services Regulations, India Passage Regulations, respectively, read with Fundamental Rule 3. These rules admit of the grant of joining time and travelling allowance to military officers in civil employ not only on the occasion of their transfer to civil employ and retransfer to military employ but also when they are actually serving in the civil employ. For the purposes of these rules, privilege leave under the military leave rules, should be treated as earned leave of not more than four months' duration.

Note 3.—The time reasonably required for journeys between the place of training and the stations to which a Government employee is posted immediately before and after the period of training should be treated as part of the training period. This does not apply to probationers holding "training posts" which they may be considered as taking with them on transfer. Such probationers are entitled to joining time when transferred.

Note 4.—When a Government employee holding a temporary post is offered through his official superior another such post at some other station at any time before the abolition of his post, he is entitled to joining time.

[9.1-9.4] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IX]

Note 5.—No joining time, joining time pay or travelling allowance shall be granted to a State Government employee who is appointed to a post under the Union Government but

joins his new post after termination of his employment under the State Government by resignation or otherwise, unless the employment of a particular Government employee is in the wider public interest. The same applies to a employee of the Union Government or of another State Government who, in similar circumstances, is appointed to a post under the Punjab Government. Further, when a Government employee of one department is appointed to a post in another department, both departments being under the Punjab Government, but joins his new post after termination of his employment under the old departments, no joining time, joining time pay or travelling allowance shall be allowed unless it is in the public interest to do so. If joining time is allowed in any case it should be the minimum necessary and should in no case exceed the transit period.

Note 6.—Joining time, joining time pay and travelling allowance of Government employees appointed to posts under the Punjab Government on the results of a Competitive Examination, which is open to both Government employees and others, is regulated as under:—

- (a) travelling allowance, joining time and joining time pay should ordinarily be allowed to all Government employees serving under the Union or State Government who hold permanent post in a substantive capacity.
- (b) no travelling allowance, joining time pay should be granted in the case of those who are employed in a temporary capacity without the sanction of Government.
- (c) for the purpose of clause (a) above provisionally permanent and quasi-permanent Government employees shall be treated as on par with the permanent Government employees.

9.2. No joining time is allowed in cases when a Government employee is transferred from one post to another in the same office establishment.

9.3. (a) A Government employee on transfer during a vacation may be permitted to take joining time at the end of the vacation.

(b) If vacation is combined with leave, joining time shall be regulated under rule 9.1(b) (i), if the total period of leave on average pay and vacation or earned leave and vacation combined is of not more than six months or 180 days duration, respectively.

9.4. If a Government employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave. On the expiry of the leave, the Government employee may be allowed normal joining time.

CALCULATION OF JOINING TIME

9.5. The joining time of a Government employee in cases involving a transfer from one station to another, neither of which is in a remote locality not easy of access, is subject to a maximum of 30 days. Six days are allowed for preparation and in addition, a period to cover the actual journey calculated as follows:—

(a) A Government employee is allowed:—

(i) For the portion of the journey which he travels by air craft. Actual time occupied in the journey

(ii) For the portion of the journey which he travels or might travel. One day for each

By railway ... 500 kilometers

By ocean steamer ... 350 kilometers } or any longer

By river steamer ... 150 kilometers } time actually

occupied in

the journey.

By motor vehicle or

horse-drawn conveyance ... 150 kilometers

In any other way ... 25 kilometers

- (b) (i) For purpose of journey by air under clause (a) (i) a part of day should be treated as one day.
- (ii) a day is also allowed for any fractional portion of any distance prescribed in clause (a) (ii).
- (c) when part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.

Note.—If a steamer is not due to start immediately after the expiry of six days from the day when the Government employee, gives over charge, the Government employee may add to his joining time the number of days intervening between the expiry of the six days and the departure of the next steamer, whether he actually starts during the first six days or by the next boat after their expiry.

[9.5-9.8] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IX]

- (d) travel by road not exceeding eight kilometers to or from a railway station, or steamer ghat at the beginning or end of journey does not count for joining time.
- (e) a Sunday does not count as a day for the purpose of the calculations in this rule but Sundays are included in the maximum period of 30 days.

Exception.—The authority sanctioning the transfer may in special circumstances reduce the period of joining time admissible under this rule.

9.6. Not more than one day is allowed to a Government employee in order to join a new post when the appointment to such post does not necessarily, involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule.

9.6-A. When holiday (s) follow (s) joining time, the normal joining time may be deemed to have been extended to cover such holiday (s).

9.7. Except in the case of a journey performed by air which will be governed by the provisions in clause (a) (i) of rule 9.5 by whatever route a Government employee actually travels his joining time shall, unless a competent authority for special reasons otherwise order, be calculated by the route which travellers ordinarily use.

9.8. (a) The joining time of a Government employee under clause (b) (i) and (ii) of rule 9.1 will be counted from his old station or from the place at which he receives the order of appointment, whichever calculation will entitle him to less joining time. If the leave is being spent out of India and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this rule. If, however, such a Government employee actually performs the journey to his old headquarters for winding up his personal affairs, etc. his joining time will be calculated from the old headquarters to the new headquarters, irrespective of the place where he spends leave or receives posting orders. A certificate to the effect that the Government employee had actually performed the journey from the station where he was spending leave to the old headquarters for winding up personal affairs should be furnished by the officer concerned with his charge report for assumption of the post at the new headquarters. The responsibility for obtaining the certificate from a Group 'A' or Group 'B' officer would rest with the Head of Department concerned and for Group 'C' and Group 'D' staff, with the head of office.

(b) A Government employee taking joining time under clause (b) (i) of rule 9.1 who receives, while on leave (whether spent in or out of India); order of transfer to a station other than that from which he took leave, will be granted full joining time admissible under clause (a) above, without reference to the authority which granted the leave and irrespective of the date on which the orders of transfer are received by him. Should he join his new appointment before the expiry of such leave plus the joining time admissible the period short taken should be considered as leave not enjoyed, and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. If in any case, the Government employee desires not to avail himself of the full period of joining time admissible the period of leave and joining time should be adjusted with reference to such option.

9.9. Omitted.

9.10. If a Government employee is authorised to make over charge of a post elsewhere than at his headquarters, his joining time shall be calculated from the place at which he actually makes over charge.

9.10-A. If the headquarter of a Government employee, while on tour is changed to the tour station itself, or his temporary transfer is converted into permanent transfer by the competent authority, his joining time may be calculated

from the old headquarters, to the new headquarters, in case he actually performs the journey to his old headquarters for winding up his household etc.

9.11. If a Government employee is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

Note.—A second period of six days for preparation should not be included in calculating the joining time of a Government employee whose appointment is changed while he is in transit.

9.12. When a Government employee under the administrative control of the Punjab Government is transferred to the control of another Government, his joining time for the journey to join his post under that Government and for the return will be governed by the rules of that Government.

9.13 and 9.14. Omitted.

[9.15] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IX]

PAY DURING JOINING TIME

9.15. A Government employee on joining time shall be regarded as on duty, and shall be entitled to be paid as follows:—

- (a) where joining time is granted under clause (a) of rule 9.1 the pay which he would have drawn if he had continued in the old post; or the pay which he will draw on taking charge of the new post, whichever is less;
- (b) where the joining time is granted under clause (b) of rule 9.1—

- (i) if it is in continuation of leave which included a period of leave on average pay of earned leave pay equal to leave-salary which he last drew during such leave on average pay or earned leave at the rate prescribed for payment of leave salary in India; and
- (ii) if it is in continuation of leave which did not include a period of earned leave-pay equal to the leave salary which the Government employee would have drawn under the leave rules applicable to him as if he had been on leave on average pay or earned leave in India for the period of joining time;
- (c) where joining time is granted under clause (c) of rule 9.1, the pay which he would draw in his post in the remote locality:

Provided that:—

- (i) a Government employee on transfer shall not be entitled to any pay for the period of joining time unless his transfer is in the interest of public service;
- (ii) no joining time pay shall be granted to a Government employee who does not hold a permanent post under Government (including the central and State Governments) in a substantive capacity or a post under the Punjab Government in a quasi-permanent capacity, when

he is appointed to a new post on the results of a competitive examination or interview which is open to both Government employees and others.

Note 1.—A Government employee on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interest.

In such cases the Government employee may be granted regular leave by the competent authority under the leave rules admissible to him even if the transfer is at his own request to cover the period after handing over charge at the old station and before taking over at another, if the Government employee applies for it and the competent authority is willing to sanction it. In case, however, where the Government employee does not apply for leave to cover the period spent in transit, this period should be treated as “*dies non*” for purposes of leave, increment and pension.

[Chap. IX]

JOINING TIME

[9.15-9.16]

Note 2.—A military officer subject to the Military Leave Rules who retains a lien on his civil post is entitled on joining time, under sub-clause (ii) of clause (b) above, to draw the same amount of leave salary which he would have drawn had he taken leave under Civil Leave Rules: Provided that such leave-salary shall not be less than that which he actually drew during the last portion of his leave.

9.16. In the Public Works Department no extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by a relieving Government employee until the transfer is complete, but as far as ordinary pay and allowances are concerned an exception may be made to the general rule in all cases in which the charge to be transferred (whether a division, a sub-division, or other charge) consists of several scattered works which the relieving and the relieved Government employee are required, by the orders of a superior officer, to inspect together before the transfer can be completed. The relieving Government employee will be

considered as on duty if the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive. While so taking over charge, the relieving Government employee will draw:—

- (i) if he is transferred from a post which he holds substantively his presumptive pay in that post;
- (ii) if he is transferred from a post which he has held in an officiating capacity, the officiating pay admissible in that post : provided it is not more than the pay he would draw after the transfer is complete; otherwise his presumptive pay in the permanent post on which he had a lien prior to transfer;
- (iii) if he returns from leave, his pay during the period of taking over charge be regulated as follows:—
 - (a) if he went on leave while working in the post held by him substantively, the presumptive pay of that post; and
 - (b) if he went on leave while working in a post in an officiating capacity, the officiating pay of that post or the pay which will be admissible to him in the new post, after taking over charge, whichever is less.

Note 1.—The concession of house-rent allowance or free quarter ordinarily admissible to a Government employee should be treated as “ordinary pay and allowances” within the meaning of this rule and is admissible to both the relieved and the relieving Government employees during the period occupied by them in handing over and taking over charge.

Note 2.—In each case where it has been decided to treat the period of taking over charge of a relieving officer as ‘duty’ under the provisions of this rule, a declaration in the following proforma should be issued:—

DECLARATION

I, _____ (Name) _____ (Designation) declare that Shri _____ (Name and designation of the officer to be relieved) and Shri _____ (Name of the relieving officer) _____ (Designation) were engaged in joint inspection of several scattered works and/or stores during the period from _____ to _____ in connection with handing over and taking over charge and I do not consider the above period as excessive during which Shri _____ shall be treated as on duty.

(Name of the relieving officer)

Station.

Name

Date.

Designation.

9.17. The application of rule 9.16 which forms an exception to the general rule and which concerns the Public Works Department only, has also been extended to the transfer of charge specified in column 2 of the table below in the case of the following departments. The authority noted in column 3 against each is to determine whether the period spent in completing the transfer of charge is not excessive:—

Name of the Department	Charges to be transferred	Authority competent to determine whether the
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			period spent in completing the transfer of charge is not excessive
1.	Jail Department	Deputy Superintendents and Storekeepers.	Inspector-General of Prisons, Punjab.
		Senior Factory Assistant, Reformatory Settlement, Amritsar.	Ditto

[Chap. IX]

JOINING TIME

[9.17]

Name of the Department	Charges to be transferred	Authority competent to determine whether the period spent in completing the transfer of charge is not excessive
2. Industries Department	Teachers and clerks holding charge of Stores in the Government Industrial Schools and Institutions.	Director of Industrial Training.

		Storekeepers in the Government Central Weaving Institute, Amritsar; School of Arts, Government Institute of Dyeing and Calico-Printing and Demonstration Weaving Factory, Ludhiana.	Director of Industries.
		Lady Superintendent and Head Mistresses who hold charge of Stock and Stores in Government Women Industrial Schools.	Director of Industries.
		Storekeepers and Clerks in Government Tanning Institute, Jalandhar, Government Hosiery Institute, Ludhiana Marketing Sections, Wool	Ditto

		<p>Section and Sericulture</p> <p>Section. Laboratory</p> <p>Assistants in the Industrial</p> <p>Research Laboratory,</p> <p>Demonstrators of all</p> <p>Demonstration parties in</p> <p>the Punjab.</p>	
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[9.17] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. IX]

	Name of the Department	Charges to be transferred	Authority competent to determine whether the period spent in completing the transfer of charge is not excessive
3.	Agriculture Department	<p>Storekeepers, Well Super- visors and Well Borers in Workshops and Well Boring Section and Agriculture Assistants and Clerks attached to Farms.</p>	Director of Agriculture.

4.	Veterinary Department	Veterinary Inspector and Veterinary Officer in- charge of Civil Veterinary Hospitals.	Divisional Superintendent, Civil Veterinary Department
5.	Judicial Department	Ahlmads and Record- keepers in the Courts of District and Sessions Judges including Additional District and Sessions Judges.	District and Sessions Judges concerned upto 10 days.
		Ahlmads, Execution Moharrirs, Guardian Moharrirs in the Court of Senior and other Subordinate Judges and administrative Subordinate Judges and Readers to Administrative Subordinate Judges, Ahlmads, Naib, Shariff incharge of	Presiding Officer of the Court up to 7 days and District Sessions Judges upto 10 days.

		Execution Work and Insolvency Clerk in Small Cause Courts.	
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	Name of the Department	Charges to be transferred	Authority competent to determine whether the period spent in completing the transfer of charge is not excessive
6.	Food and Supplies Department	Inspectors, Food and Supplies/Sub-Inspectors, Food and Supplies.	Head of the Department: Provided the total period spent in the transfer of charge does not exceed four days.
7.	Treasuries and Accounts Branch, Finance Department	Treasury Officer, District Treasurers and Assistant/Sub-Treasurers.	Head of Department.
8.	Treasuries and Accounts	District Treasury Officer.	Head of Department upto two days.

	Branch, Department of Finance.		
9.	Printing & Stationery Department	Store-Keepers.	Head of Department provided the total period spent in transfer of charge does not exceed 6 days.

OVERSTAYAL AND EXTENSION OF JOINING TIME

9.18. A Government employee who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of rule 3.17.

9.19. (a) A competent authority may, in any case extend the joining time admissible under these rules, provided that the general spirit of the rules is observed.

(b) Within the prescribed maximum of thirty days, Heads of Departments may, in the case of Government employees under their control (other than those belonging

to All India Services), extend the joining time admissible under the rules to the extent necessary in the following circumstances:—

- (i) when the Government employee has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part has spent more time on the journey than is allowed by the rules; or
- (ii) when such extension is considered necessary for the public convenience or for the saving of such public expenditure as is caused by unnecessary or purely formal transfers;
- (iii) when the rules have, in any particular case, operated harshly, as for example, when a Government employee has through no fault on his part missed a steamer or fallen sick on the journey.

JOINING TIME TO PERSONS NOT IN GOVERNMENT SERVICE ON JOINING THE
GOVERNMENT SERVICE AND ON REVERSION FROM IT

9.20. A person in employment other than Government service or on leave granted from such employment, if, in the interest of Government, he is appointed to a post under Government, may, at the discretion of the competent authority, be treated as on joining time while he prepares for and makes the journey to join the

post under Government, and while he prepares for and makes the journey on reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or, in the case of joining time immediately following leave granted from the private employment, to the leave salary, paid to him, by his private employer prior to his appointment to Government service or pay equal to the pay of the post in Government service, whichever is less.

CHAPTER X

FOREIGN SERVICE AND DEPUTATION IN INDIA

10.1. Meaning of Foreign Service:—As per definition given in rule 2.21 Foreign Service means service in which a Government employee receives his pay with the sanction of Government from any source other than the revenues of the Union or State Government or a Union Territory.

GENERAL CONDITIONS FOR FOREIGN SERVICE

10.2. (a) A competent authority may sanction the transfer of a Government employee to foreign service in or out of India:

Provided no Government employee may be transferred to foreign service in or out of India against his will:

Provided further that a Government employee, other than an employee working in the Punjab Vidhan Sabha Secretariat, may, in public interest, be transferred without his consent to foreign service under a Company, a Corporation or a Body whether incorporated or not, which is wholly or substantially owned or controlled by the State Government or under a Municipal Corporation or a local body within the State of Punjab or under the Bhakra Beas Management Board or the Beas Construction Board:

Provided further that no Government employee shall be transferred to a post carrying pay which is less than or a pay scale the maximum of which is less than the basic pay he would have drawn but for his transfer to foreign service :

Provided further that no Government employee shall be transferred to foreign service unless the foreign employer undertakes to afford him, as far as, may be, privileges not inferior to those which he would have enjoyed under the Punjab Services (Medical Attendance) Rules, 1940, as amended from time to time, if he had been employed in the service of the Government of Punjab.

(aa) A Government employee, other than an employee working in the Punjab Vidhan Sabha Secretariat, may in public interest, be deputed without his consent to a post under the Administration of Union Territory, Chandigarh:

Provided that no Government employee shall be deputed under this clause to a post carrying pay which is less than or a pay scale the maximum of which is less than the basic pay he would have drawn but for this deputation.

(b) The Government which will be entitled to recover pension contribution on behalf of a Government employee lent to foreign service should be regarded as the Government competent to sanction the transfer.

[10.3-10.6] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]

10.3. A transfer to foreign service is permissible if the following conditions are fulfilled:–

- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government employee;
- (b) the Government employee transferred holds, at the time of his transfer to foreign service a post paid from Government revenues, or holds a lien on a permanent post. Transfer of a temporary Government employee to foreign service who fulfils this condition of lien is also permissible;
- (c) A Government employee transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer.

PAY AND JOINING TIME

10.4. (a) A Government employee in foreign service shall draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. The amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

(b) The competent authority may by general order impose such restrictions in regard to the admissibility of pay to an employee transferred to foreign service, as it may deem fit. Annexure 'A' contains the restrictions regulating the amount of remuneration to be paid to Government employees on foreign service in India.

10.5. A Government employee transferred to foreign service if appointed to officiate to a post in Government service, before his term of foreign service expires or before he reverts to his parent service in normal course shall draw pay calculated on the pay of the post in which he holds a lien and that of the post in which he officiates. In other words his foreign service will be taken into account in fixing his pay on appointment as above.

Note.— Omitted.

PENSION AND LEAVE SALARY

10.6. (a) A Government employee transferred to foreign service may not, without the sanction of the competent authority, accept a pension or gratuity from his foreign employer in respect of such service.

(b) When any Government employee whose services are lent on foreign service conditions retires from Government service without at the same time retiring from the

[Chap. X]

FOREIGN SERVICE AND DEPUTATION IN INDIA

[10.6-10.7]

service of his foreign employer, the Accountant-General shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension drawn from the Government so as to give the

foreign employer the opportunity, if he be so inclined, of revising the existing terms of employment.

(c) The employee on foreign service out of India, if he so chooses, may accept gratuity from the foreign Government but the service rendered by him with that Government shall not qualify for pension under the State Government. The gratuity so accepted shall be credited into the General Provident Fund or the Contributory Provident Fund account, as the case may be, of the employee concerned.

10.7. (a) While a Government employee is in foreign service, contribution towards the cost of his pension shall be paid to Government revenues on his behalf.

(b) If the foreign service is in India, contributions shall be paid on account of the cost of leave salary also.

(c) Contribution due under sub-rules (a) and (b) above shall be paid by the Government employee himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

Note.—The payment of matching contribution in respect of the Government employees, who are governed by the New Defined Contributory Pension Scheme, shall be made by the foreign employer in accordance with the procedure specified in this behalf.

(d) (i) A Government employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any

individual case the authority sanctioning the transfer to foreign service may determine before hand in consultation with the foreign employer the conditions on which leave will be granted by such employer. The leave-salary in respect of leave granted by said employer will be paid by him and the leave will not be debited against the Government employee's leave account.

Note.—Leave granted under this sub-rule should be treated as leave and not as duty for the purposes of pension.

(ii) In special circumstances, the authority sanctioning transfer to foreign service out of India may make an arrangement with the foreign employer under which leave may be granted to the Government employee in accordance with the rules applicable to him as a Government employee, if the foreign employer pays leave contribution at the prescribed rate.

[10.8-10.10] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]

RATE OF CONTRIBUTIONS PAYABLE ON ACCOUNT OF

PENSION AND LEAVE SALARY

10.8. (1) The rates of contribution payable on account of pension and leave salary shall be such as the competent authority may by general order specify with a view to—

(a) secure to the Government employee the pension that he would have earned by service under Government if he had not been transferred to foreign service; and

(b) to secure to Government employee leave salary on the scale and under the conditions applicable to him.

(2) A competent authority may remit the contributions due in any specified case or class of cases as is done in the case of transfer of Medical Officers to foreign service in Local Fund Charitable Hospitals and Dispensaries.

(3) While calculating the rate of leave salary admissible in the case of Government employee entitled to a lien in a post and paying his own contributions the pay drawn in foreign service shall account for the purpose of pay on the last day of duty.

Note.—The rates of contributions prescribed under this rule and the method of their calculation are given in Annexure 'B' appended to this Chapter.

TIME LIMIT FOR PAYMENT OF CONTRIBUTIONS

10.9. The payment of leave salary and pension contribution in respect of Government employee in foreign service shall be made (separately as they are creditable to different heads of accounts) by the foreign employer or by the employee concerned as specified in the terms of transfer to foreign service within fifteen days from the end of the financial year or at the end of the term of the foreign service, whichever is earlier. No dues recoverable from Government on any account, shall be set off against these contributions.

INTEREST ON OVERDUE CONTRIBUTIONS

10.10. In case the contribution is not paid within the specified period, interest shall be paid to Government on unpaid contribution, according to the terms of foreign service at the rate of two paise a day for one hundred rupees from the date of expiry of that period up to the date on which the contribution is finally paid. Where contributions are paid not in cash but by book adjustments in the accounts made by Accountant-General any interest levied on overdue contributions should be charged upto the date on which the adjustment is finally made in the accounts.

[Chap. X]

FOREIGN SERVICE AND DEPUTATION IN INDIA

[10.11-10.16]

REMISSION OF INTEREST

10.11. The Competent Authority may remit interest on overdue contributions in exceptional circumstances when for instance the payment of the contribution has been delayed through no fault of Government employee or the foreign employer concerned. Interest will not be remitted in consequence of delay on the part of the Accountant-General to make a claim, if the facts on which the claim is based were within the knowledge of the Government employee or the foreign employer concerned.

10.12. If a Government employee transferred to foreign service withholds the contributions, he shall forfeit the right to count as duty in Government service the time spent in foreign service. The contribution paid on his behalf maintains his claim to pension or/and leave salary, as the case may be, in accordance with the rules of service of which he is a member. Neither the Government employee nor the foreign employer has any right of property in a contribution paid and no claim for refund can be entertained.

LEAVE WHILE ON FOREIGN SERVICE

10.13. A Government employee transferred to foreign service shall before taking up his duties in foreign service, acquaint himself with the rules or arrangements which will regulate his leave during such service.

10.14. A Government employee transferred to foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member, and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

10.15. A Government employee transferred to foreign service in India shall be personally responsible, for the observance of rule 10.14. By accepting leave to which he is not entitled under the rules he renders himself liable to refund leave salary irregularly drawn and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave salary.

10.16. (a) A Government employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case the authority sanctioning the transfer to foreign service may determine before hand in consultation with the foreign employer, the conditions on which leave will be granted by such employer. The leave salary in respect of leave granted by the said employer shall be paid by him and the leave shall not be debited against the Government employee's leave account. Leave granted under this clause should be treated as leave and not as duty for the purposes of pension.

[10.16-10.19] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]

(b) In special circumstances, the authority sanctioning transfer to foreign service out of India may make an arrangement with the foreign employer under which leave may be granted to the Government employee in accordance with the rules applicable to him as a Government employee, if the foreign employer pays leave contribution at the rate prescribed under rule 10.8 or otherwise specified.

10.17. The grant of leave preparatory to retirement to a Government employee coupled with permission to remain in the service of the foreign employer shall be regulated in the following manner:—

- (1) In the case of a Government employee, who is already on foreign service in or out of India under a body corporate, owned or controlled by Government applies for leave preparatory to retirement. The leave applied for can be granted only if the body corporate, owned or controlled by Government is prepared to release him from its employment to enable him to enjoy the leave.
- (2) In the case of a Government employee who is transferred to foreign service in or out of India under a body other than a body corporate, owned or controlled by Government who applies for leave preparatory to retirement, such a leave shall be admissible only where the Government employee quits duty under the foreign employer. In other words he will not be permitted to continue in employment under the foreign employer while on leave preparatory to retirement. If he is allowed to continue in

the employment of the foreign organisation after the date of superannuation, he shall be treated purely as on private employment.

REVERSION FROM FOREIGN SERVICE

10.18. A Government employee reverts from foreign service to Government service on the date on which he takes charge of his post in Government service; provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the competent authority may declare.

10.19. When a Government employee reverts from foreign service to Government service, his pay shall cease to be paid by the foreign employer, and his contributions shall be discontinued, with effect from the date of reversion.

Note.—(1) If the Government employee is repatriated by the borrowing Government before the expiry of the agreed term of deputation, the salary of such an employee for the period from the date of relieving from foreign service to the date he takes charge of the post under the State Government, shall be paid by the foreign employer:

[Chap. X] FOREIGN SERVICE AND DEPUTATION IN INDIA [10.19-10.20]

Provided that if such Government employee is relieved by the foreign employer on the basis of a complaint or indiscipline or misconduct in the discharge of his duties, such period shall be treated as leave of the kind due.

(2) A specific provision to this effect shall invariably be incorporated in the terms and conditions of the deputation or foreign service.

RECOVERIES IN THE CASES OF ADDITIONS TO

REGULAR ESTABLISHMENT

10.20. (1) The following rules shall govern the recoveries in the cases of additions made to a regular establishment from the persons for whose benefit the additional establishment is created on the condition that its cost or a definite portion of its cost shall be recovered from the persons concerned:—

- (a) The amount to be recovered shall be the gross sanctioned cost of the service or of the portion of the service as the case may be, and shall not vary with the actual expenditure of any month.
- (b) The cost of the service shall include contributions at such rates as may be laid down under rule 10.8 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- (c) A competent authority may reduce the amount of recoveries, or may entirely forego them.

(2) The following procedure shall be adopted in applying the rates of contribution prescribed under rule 10.8 to cases falling under this rule:—

- (i) *Pension contribution.*—In the case of a Government employee of one of the State Services, Group 'A', or holding a special post of corresponding rank, the amount to be recovered as contribution shall be the average of the rates prescribed in column 2 of the table in Annexure B to this Chapter.

In the case of employees of other services or those holding special posts of corresponding ranks a fraction of the total maximum monthly pay of all the sanctioned posts equal to the average of the percentages laid down in columns 3 and 4 of the table referred to above shall be levied.

(ii) *Contribution for leave salary.*—The rate for calculating the amount to be levied as contribution in respect of a member of one of the State Services, Group 'A', or holding a special post of corresponding rank shall be the average of the rates prescribed for Government employees subject to ordinary leave rules in Chapter VIII, whereas the actual percentage prescribed for other Government employees shall be levied on the total sanctioned cost, or in the case of time-scales of pay on the average cost of all the posts concerned.

[10.20-10.21] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap.X]

(3) The procedure laid down in sub-rule (2) above shall also be applicable to all Government commercial concerns in which leave and pensionary charges are adjusted on contribution basis in their regular commercial accounts or in which pensionary charges are taken into account calculating the issue price of goods manufactured or fees for service rendered or to any other department in which pensionary charges are adjusted in the regular accounts on the basis of foreign service contribution rates.

GENERAL CONDITIONS OF DEPUTATION AND

DEPUTATION ALLOWANCE

GENERAL CONDITIONS

10.21. (1) (i) The term 'deputation' covers only appointment made by transfer on temporary basis. Appointments of Government employees made either by promotion or by direct recruitment in competition with candidates from the open market, whether on a permanent or temporary basis shall not be regarded as deputation. Similarly, permanent appointments made by transfer shall not be treated as deputation.

(ii) The transfer on an employee from one department to another department under the Punjab Government will not be considered as deputation and no deputation allowance will be admissible.

(iii) The term 'Basic Pay' for this purpose shall mean the pay drawn in the scale of pay of the substantive appointment held or the pay in the scale of pay of officiating appointment in an employee's present cadre provided the officiating appointment so held was not in a tenure post and it is certified by the appointing authority that but for the deputation the employee concerned would have continued to hold the officiating appointment indefinitely.

(iv) Personal pay, if any, drawn by an employee on the post in his parent department may be allowed in addition and will not be absorbed in the deputation allowance, but will be absorbed in other increases in pay e.g. increment or increase of pay by promotion or for any other reason.

DEPUTATION ALLOWANCE

10.21. (2) The grant of deputation allowance to Public Government employees who are transferred on deputation or to foreign service to other State Governments or the Central Government or bodies (incorporated or not), wholly or substantially owned or controlled by Government, provided the transfer is outside the regular line and is in the public interest shall be regulated as under :-

[Chap. X] FOREIGN SERVICE AND DEPUTATION IN INDIA [10.21-10.22]

(1) (i) The deputation allowance shall be granted only in those cases where the services of specialists in scientific and technical fields are required by the local authorities and other public or quasi-public bodies in the public interest and the choice of the officer is made by the Government and not by the borrowing organisation; and

(ii) The deputation allowance shall be admissible at the rate of five per cent of basic pay of the Government employee subject to a maximum of one thousand and five hundred rupees per mensem at the same station and ten per cent of basic pay subject to a maximum of three thousand rupees per mensem at a different station.

(2) The deputationist shall either be allowed special pay or deputation allowance on his basic pay and not both, irrespective of the fact whether the special pay has been sanctioned for the parent post in lieu of higher time scale or otherwise. Similarly special pay, if any, attached to a deputation post shall also not be admissible along with deputation allowance.

(3) Any project allowance admissible in a project area may be drawn in addition to the deputation allowance.

(4) Where a special rate of deputation allowance is admissible in any area on account of conditions of living there being particularly arduous or unattractive, such a special rate being more favourable than that admissible under these rules, the

Government employees deputed to such area will be given the benefit of the special rate.

(5) The deputation of an employee to the Union Territory of Chandigarh or transfer of an employee to foreign service under the Bhakra Beas Management Board or the Beas Construction Board, shall be treated as service in the interest of the State of Punjab and no deputation allowance shall be admissible.

PAY ON DEPUTATION TO UNIVERSITIES, CORPORATIONS,
LOCAL BODIES AND OTHER CORPORATE BODIES

10.22. (1) The Government employees who go on deputation on foreign service to the Universities, Corporations, Local Bodies and other corporate bodies shall not be allowed to get higher start. In case a Government employee wants to take advantage of a higher scale of pay advertised by the Universities, Corporations, Local Bodies and other corporate bodies he can do so after resigning from Government service.

Note.—The Administrative Department should ensure that a representative of the Department of Finance is invariably associated in making recruitment to the corporate bodies, which are receiving financial assistance from the Government of Punjab.

[10.22] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]

(2) A Government employee placed on deputation may opt to draw either the pay in the scale of pay of the new post, as may be fixed under the normal rules, or his basic pay in the parent Government Department plus personal pay, if any, under rule 10.21 plus deputation allowance. For determining the pay under the normal rules for this purpose in case of deputation to autonomous bodies, it may be assumed that the Government rules apply. The option once exercised shall be final except that on each occasion when such an employee receives proforma promotion in his parent Government department under the next below rule or is reverted to a lower grade in the parent Government or is appointed to another grade by the borrowing agency a fresh option shall be allowed to him.

(3) The employee on deputation may be given the benefit of the “next below” rule.

(4) No Government employee shall receive an abnormal increase in pay because of his deputation. In cases in which a Government employee is sent on deputation against a post the minimum scale of pay of which plus deputation allowance substantially exceeds the emoluments normally admissible to the deputationist, viz., the pay which he draws in the post from which he proceeds on deputation plus deputation allowance, the authority ordering the deputation shall restrict the pay in a suitable manner to curtail the substantial excess thereof.

(5) (i) These rules also apply in other cases of deputation or appointments of employees of other State Governments and the Central Government to posts under the Punjab Government. Where, however, special orders may exist in respect of appointments of a specific category of employees to a specified class of posts, those orders will continue to be applied instead of these orders.

(ii) If a Central Government or any other State Government employee on deputation to the Punjab Government or a Punjab Government employee on deputation to Central Government or any other State Government is allowed to retain the scale of pay, admissible to him in his parent Government plus deputation allowance, if any, dearness allowance should also be allowed under the rules of the parent Government or organisation. Local allowances such as compensatory (city) and house rent allowances will, however, be payable under the rules of the borrowing Government. If, however, the deputationist is appointed in the scale of pay prescribed for the post by the borrowing Government, he should be allowed to draw all allowances including dearness allowance under the rules of the borrowing Government. This sub-rule shall not be applicable to cases where separate orders are issued in consultation with Department of Finance or where special terms of deputation are fixed in consultation with the Department of Finance.

[Chap. X] FOREIGN SERVICE AND DEPUTATION IN INDIA [10.22-10.24]

(6) In a case, a person already on deputation is desired to be promoted to a higher post in the borrowing department, the borrowing Government/authority shall obtain the concurrence of the lending Government/authority prior to that promotion. The lending Government/authority shall in such a situation also decide how the pay in the higher post shall be regulated.

(7) This rule shall not apply to cases of deputation to posts outside India.

HOW TO TREAT DEPUTATION ALLOWANCE

10.23. The deputation allowance admissible to Government employees transferred on deputation or to foreign service to any other State Government or the Central Government or Bodies (incorporated or not) wholly or substantially owned or controlled by the State Government shall not count as emoluments for any purpose other than pension. In case of pension too it shall count as emoluments only if it is

mutually agreed upon between the two Governments that it shall so count for the purposes of pension and the sharing of additional liability is also settled before hand.

Note 1.—It has been mutually agreed upon by the Punjab Government and the Central Government that with effect from 4th September, 1973 special pay and deputation (duty) allowance and with effect from 11th February, 1974 officiating pay drawn on the deputation post, irrespective of whether they would have drawn it had they not been sent on deputation shall be counted towards pension in the case of officials on deputation from the Punjab Government to the Central Government and vice versa. The additional liability would be shared by the Punjab Government and Government of India in accordance with the provisions of Appendix 3 to the Account Code, Volume I.

Note 2.—The rules regarding leave salary and pension contribution as laid down in Appendix 3 to the Account Code, Volume I shall apply in cases where a permanent Government employee is appointed under a different Government through open competition, provided he is not required to resign his previous appointment and the Government under whom he was employed prior to his appointment under a different Government through open competition agrees to retain his lien until he is finally absorbed by the latter Government.

RESTRICTION ON GRANT OF EXTRAORDINARY CONCESSIONS

10.24. The grant of extraordinary attractive concessions in the shape of higher pay scales, additional remuneration, conveyance allowance, free residential accommodation, free use of electricity and water, free use of car, use of servants for private purposes, sumptuary allowance and bonus or award for good work shall not be allowed to Government employees deputed on foreign service to private bodies without the prior approval of the Department of Finance.

[10.25-10.28] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]

PERIOD OF DEPUTATION

10.25. The initial period of deputation may be extended up to three years by the Administrative Department concerned and if in a rare case of special nature, the exigencies so require in public interest, such period may be extended beyond three

years by the Administrative Department concerned with the prior concurrence of the Department of Personnel:

Provided that where the Administrative Department in consultation with the Department of Personnel agrees to extend the period of deputation of an employee beyond a period of three years, the deputation allowance and other benefits available in the borrowing department or organisation in addition to those available in the parent department shall not be admissible during the period of deputation so extended:

Provided further that in case of deputation to Government of India, other State Governments or Public Sector Undertakings and other bodies wholly and substantially owned by the other Governments, the deputation allowance may be drawn by an employee irrespective of the period of deputation, if the foreign employer is willing to continue the payment thereof, and the exigencies of public interest do not demand the recall of the employee in connection with the affairs of the State.

TRAVELLING ALLOWANCE AND DAILY ALLOWANCE

DURING DEPUTATION

10.26. A deputationist, or a Government employee on transfer to foreign service shall be entitled to the Travelling and Daily Allowance at the rates applicable in the borrowing organisation.

HOUSE RENT ALLOWANCE DURING DEPUTATION

10.27. House Rent Allowance will be admissible to a deputationist at the same rates as is admissible to the other Government employees of equivalent categories. A deputationist who may be occupying a Government residential accommodation will be permitted to retain the same on payment of five percent of his pay plus deputation allowance or the standard rent, whichever is less, as house rent from his own pocket, the difference between the market rent and the rent paid by the deputationist from his own pocket shall be paid by the borrowing organisation.

CONDITIONS TO BE OBSERVED WHILE SANCTIONING THE CASES OF DEPUTATION OR FOREIGN SERVICE

10.28. (1) A Government employee who has served on deputation or on foreign service should not be allowed to proceed on deputation or on foreign service again unless he has worked for a minimum period of two years on a post in his parent

[Chap. X]

FOREIGN SERVICE AND DEPUTATION IN INDIA

[10.28-10.29]

Government on reversion from deputation or foreign service from the first assignment so that Government may be able to make the best use of his service.

(2) The Government has an inherent power to terminate deputation arrangements earlier than the period specified in the order of terms and conditions of deputation when exigencies so demand. Government may, of its own motion or on the request of the borrowing organisation or authority, recall a Government employee at any time before the expiry of the period of deputation. However, to make it more clear and to remove any doubt in this behalf, a specific condition empowering the State Government to recall a Government employee before the expiry of the period of deputation shall invariably be incorporated in all orders transferring employees on deputation or to foreign service.

(3) In the case of Companies, Corporations, Boards etc., which are under the direct or indirect control of the Punjab Government, the maximum three years (five years in rare cases of special nature) period of deputation shall be strictly adhered to. Such corporate bodies shall be required to take replacements from the Government Departments concerned.

10.29. Any relaxation of the conditions and principles of deputation or foreign service laid down in this chapter will require prior concurrence of the Department of Finance.

ANNEXURE 'A'

[Referred to in rule 10.4 (a)]

The amount of remuneration to be granted to a Government employee transferred to foreign service in India be regulated by the following principles:-

(1) When the transfer of a Government employee to foreign service in India is sanctioned, the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value, in addition to his pay proper, the exact notice of such remuneration or concession must be similarly specified. No Government employee will be permitted to receive any remuneration or enjoy any concession which is not so specified, and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

(2) The following two general principles must be observed in sanctioning the conditions of transfer:-

(a) The terms granted to the Government employee must not be such as to impose an unnecessarily heavy burden on the foreign employer.

(b) The terms granted must not be so greatly in excess of the remuneration which the Government employee would receive in Government service

[Annexure A] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. X]
as to render foreign service appreciably more attractive than Government service.

Note.—The intention of this principle is to prevent undue increase in the emoluments of the individual Government employee transferred to foreign service. His pay in foreign service should, therefore, be fixed with reference to the post which he would have held under Government, had he not been transferred and not with reference to the post in India corresponding to that held by him in foreign service.

(3) If the two principles laid down in paragraph (2) above are observed, a competent authority may sanction the grant of the following concessions by the foreign employer. Such concessions must not be sanctioned as a matter of course but in those cases only in which their grant is in accordance with local custom and the wishes of the foreign employer, and is, in the opinion of the competent authority, justified by the circumstances. The value of the concessions must be taken into account in determining appropriate rate of pay for the Government employee in foreign service:—

- (a) The payment of contribution towards leave salary and pension under the ordinary rules regulating such contributions.
 - (b) The grant of conveyance allowance under the ordinary travelling allowance rules of the Punjab Government or under the local rules of the foreign employer.
 - (c) The use of tents, boats, and transport on tour; provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.
 - (d) The grant of free residential accommodation which may be furnished, in cases in which the competent authority considers this to be desirable, on such scale as may seem proper to that authority
 - (e) The use of motors, carriages and animals.
 - (f) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed in foreign service, to the Government employee in the service of that Government.
- (4) The grant of any concession not specified in paragraph (3) above requires the sanction of the Department of Finance.

(5) Specific terms in regard to travelling allowance to be allowed to Government employees for journeys on transfer to foreign service, and on reversion therefrom, should invariably be prescribed by sanctioning authorities in consultation and agreement with the foreign employer, i.e., it should be made clear in the orders sanctioning the transfer whether the travelling allowance for such journeys, which is

[Chap. X] FOREIGN SERVICE AND DEPUTATION IN INDIA [Annexures A & B]

payable by the foreign employer is to be regulated by the Punjab Civil Services (Travelling Allowance) Rules, Volume III or by the rules framed by the foreign employer.

(6) The foreign employers should in the case of Government employees transferred to foreign service accept liability for leave salary in respect of disability leave granted on account of disability incurred in and through foreign service, even though such disability manifests, itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers. The foreign employer is liable to pay leave salary charges, if it is medically certified that the disability has been incurred in or through foreign service, irrespective of the period that has elapsed between the date of reversion and the date of manifestation of the disability.

ANNEXURE 'B'

(Referred to in note below Rule 10.8)

The following rates of contributions on account of Pension and Leave Salary have been prescribed by Government under rule 10.8:–

1. Rates of monthly contributions for pension payable during active foreign service:–

Length of Service	Percentage of the maximum monthly pay of the post in the officiating or substantive grade, as the case may be, held by the officer at the time of proceeding on foreign service or to which he may receive proforma promotion while on foreign service in case of –			
	Group 'A' Government employee	Group 'B' Government employee	Group 'C' Government employee	Group 'D' Government employee
1	2	3	4	5
0-1 Years	7	5	5	4
1-2 Years	7	6	6	4
2-3 Years	8	7	6	5
3-4 Years	8	7	7	5
4-5 Years	9	8	7	5

5-6 Years	10	8	7	6
6-7 Years	10	9	8	6
7-8 Years	11	9	8	6
8-9 Years	11	10	9	7
9-10 Years	12	10	9	7
10-11 Years	12	11	10	7
11-12 Years	13	11	10	8
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
12-13 Years	14	12	10	8
13-14Years	14	12	11	8
14-15Years	15	13	11	9
15-16 Years	15	13	12	9
16-17 Years	16	14	12	9
17-18 Years	16	14	13	10
18-19 Years	17	15	13	10
19-20 Years	17	15	13	10
20-21 Years	18	16	14	11

21-22 Years	19	16	14	11
22-23 Years	19	17	15	11
23-24 Years	20	17	15	12
24-25 Years	20	17	16	12
25-26 Years	21	18	16	12
26-27 Years	21	18	16	13
27-28 Years	22	19	17	13
28-29 Years	23	19	17	13
29-30 Years	23	20	18	13
Over 31 Years	23	20	18	14

2. Rates of monthly contribution for leave salary payable during active foreign service in respect of Government employees subject to leave rules in Section III of Chapter VIII shall be at 11 per cent of pay drawn in foreign service.

Note 1.—In the case of contract officers governed by the leave terms in Parts I and II of Appendix 16 to the Punjab Civil Services Rules, Volume I, Part II, and who are transferred to foreign service the leave salary contribution should be recovered at the rates prescribed for Government employees subject to the Leave Rules in Section III of Chapter VIII, respectively.

Note 2.—Recovery of leave contribution in respect of joining time taken under rule 9.1(b) while proceeding to foreign service should be based on the pay that the Government employees would draw on the assumption of office in foreign service.

3. The following instructions should be observed in the calculation of the amounts of contribution:—

- (i) The term “active foreign service” in paragraphs 1 and 2 above is intended to include the period of joining time which may be allowed to a Government employee both on the occasion of his proceeding to and reverting from foreign service and accordingly contributions are leviable in respect of such periods.

[Chap. X]

FOREIGN SERVICE AND DEPUTATION IN INDIA

[Annexure B]

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- (ii) “Length of service” means the total period running from the date from which service for pension commences or is likely to commence.
 - (iii) The leave salary contribution for the period of joining time taken by a Government employee in continuation of leave under clause (b) of Rule 9.1 before reversion from foreign service should be calculated on the pay he was getting immediately before he proceeded on leave.
 - (iv) When a temporary Government employee is transferred to foreign service, pension contributions should be recovered as in the case of permanent Government employees.

In such cases the recovery of contributions for leave salary does not present any difficulty, the amounts being calculated on the pay actually drawn in foreign service.

(v) In the case of Government employees mentioned in rule 4.2 of Volume II of these rules, the period which they are entitled to add under that rule to their service qualifying for superannuation pension should be taken into account in reckoning "length of service" for determining the rates of foreign service contribution on account of pension prescribed.

(vi) Omitted.

Note.—The expression 'length of service' occurring in this paragraph should be taken to mean the entire continuous service of the Government employee concerned including temporary service in a pensionable post.

CHAPTER XI

SERVICE UNDER LOCAL FUNDS

11.1. Government employees paid from local funds which are administered by Government are subject to the provisions of Chapter I to IX and XII to XIV of these rules.

Note 1.—Employees of local funds administered by Government who are not paid from consolidated fund by the State and are, therefore, not Government employees are subject to the provisions of Chapter I to IX of the rules.

Note 2.—The expression “Local Funds which are administered by Government”, means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally, and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts or the enactment of leave, pensions or similar rules; in other words it means funds over whose expenditure Government retains complete and direct control.

11.2. The transfer of Government employees to service under local funds which are not administered by Government will be regulated by the rules in Chapter X.

11.3. Persons transferred to Government service from a local fund which is not administered by Government will be treated as joining a first post under Government, and their previous service will not count as duty performed. A

competent authority may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

CHAPTER XII

RECORD OF SERVICE

12.1. Service record of each Government employee shall be maintained by the Head of Department or Office in such form and manner as may be prescribed by the Department of Finance of its own or in consultation with the Accountant-General, Punjab, or as may be prescribed by the Comptroller and Auditor General of India:

Provided that the maintenance of service record may be dispensed with in the case of Government employees whose service particulars are recorded in the history of service or a service register by the Head of the Department:

Provided further that in the case of Police Officers of and below the rank of a Head Constable, the Government/Head of the Department may require the maintenance of such additional particulars and bio-data as may be deemed fit.

Note.—The form presently prescribed for the maintenance of service record is A.T.C. 3. (See Part II Appendix 11).

12.2. (1) All the incidents relating to the official career of a Government employee, which have a bearing on pay, promotion, leave, pension etc. shall be recorded in the service record of such a Government employee particularly in respect of the following incidents along with the dates and the relevant authentication/orders:—

- (i) Appointment and joining.
- (i-a) Completion of probation period/extension of probation period/confirmation.
- (ii) Grant of increment or withholding of increment.
- (iii) Grant of Selection Grade.

- (iv) Grant of benefit of Assured Career Progression Scheme.
- (v) Fixation of pay.
- (vi) Grant of leave.
- (vii) Deputation/transfer.
- (viii) Suspension or interruption in service along with details of the period thereof.
- (ix) Reinstatement.
- (x) Resignation.
- (xi) Termination of service along with its reasons.
- (xii) Promotion.

[12.2-12.4] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XII]

- (xiii) Compulsory/Premature/Voluntary Retirement.
- (xiv) Removal or dismissal from service.
- (xv) Reversion.
- (xvi) Reduction in rank or pay along with the precise reasons thereof viz. whether reduction is on account of inefficiency or reduction in establishment or abolition of the post held by the employee.
- (xvii) Retirement on superannuation.
- (xviii) Extension in service after the date of retirement on superannuation.

(2) Each entry in the service record shall be neatly made and duly attested by the Head of Department or Office, as the case may be. However, where an employee himself is the Head of the Department or Office, the attestation of the entries in his service record shall be made by the next higher authority.

The attesting officer shall ensure that the entries are made regularly and in proper manner.

(3) Erasure, overwriting or interpolation in the service record are not permissible and all corrections where necessary shall be made under proper attestation by the attesting officer.

(4) The Head of Department or Office, as the case may be, may authorise any responsible official, preferably who supervises the office, under him not below the rank of the Government employee to whom the service record pertains to attest the entries made in that record from time to time. Such authorisation will, however, not absolve him of any responsibility for ensuring accuracy of the entry so attested.

12.3. It shall be the duty of every Head of Department or Office, as the case may be, to initiate action to show the service book, every financial year within its first quarter, to the Government employee, concerned under his administrative control and obtain his signatures thereon in respect of each entry in token of his having seen the service book. A certificate to the effect that necessary action in this

behalf has been taken in respect of the preceding financial year shall be submitted by the concerned Head of Department or Office as the case may be, to the next higher authority by the end of every September. Before affixing his signatures the Government employee concerned shall ensure that his service has been duly verified and certified as required by the rules.

12.4. (1) The service record including the service book required to be maintained under the preceding rules shall be kept in the custody of the Head of Department or

[Chap. XII]

RECORD OF SERVICE

[12.4-12.5]

Office, as the case may be, in which the Government employee concerned is serving and it shall be transferred to the office to which such a Government employee may be transferred. The service record so maintained shall in no case be made over to the Government employee concerned.

(2) If the Government employee is transferred to foreign service, his Head of Department or Office, as the case may be, shall note therein the order sanctioning the transfer, effect of the transfer in regard to leave admissible during the foreign service and such other particulars as he may consider necessary in connection with the transfer. On retransfer of the Government employee from foreign service to

Government service, the head of his Department or Office, as the case may be, shall note in it all necessary particulars connected with his foreign service, including the facts of recovery of leave and pension contributions.

12.5. A Government employee shall be entitled to have a certified copy of his service book on payment of such amount as may be fixed by the Department of Finance by a general or special order as copying fee and cost of the service book and also to have all subsequent events and entries recorded therein under proper attestation by the Attesting Officer.

Note. Omitted.

CHAPTER XIII

PASSAGES

Omitted.

CHAPTER XV

AUTHORITIES WHICH EXERCISE THE POWERS OF A COMPETENT AUTHORITY UNDER THE VARIOUS RULES.

15.1. With reference to rule 2.14 the following authorities shall exercise the powers of a competent authority under the various rules.

Note 1.—The following provisions apply in the matter of the creation of posts:—

- (i) The power to create a permanent post may, unless there exists a specific power in respect of similar temporary posts, be held to cover a temporary post within the same limits.
- (ii) The term “pay” does not include “special pay”.

- (iii) The powers to create posts do not refer to Group 'D' establishment, the pay of which is debitable to "Contingencies". These are governed by the rules given in the Punjab Financial Rules, Volume I.
- (iv) The powers in regard to the creation of posts are intended to be exercised in individual cases only. Proposals involving a general addition to the establishment of a number of offices should be referred to Department of Finance.
- (v) In respect of delegations for creation of posts, fees or commissions which are the authorised emoluments of the post, should be considered as pay or part of the post for the purposes of determining the authority competent to the post.

Note 2.—The Administrative Departments and the Heads of Departments concerned may redelegate the powers, delegated to them in the table below this rule, to any officer under them at their headquarter offices on their own overall responsibility and subject to such conditions and restrictions as they may like to impose. Copies of such orders should invariably be endorsed to the Department of Finance and the Accountant General, Punjab. They may also re-delegate their powers in respect of the following items in the manner indicated below:—

Serial number of the table below this rule.	Authority to whom power may be re-delegated.
2, 4, 5, 11, 12, 34, 35, 38, 44, 45, 48, 49, and 57.	To any officer subordinate to them. The Powers in respect of items Nos. 44 and 45 may, however, be re-delegated only in respect of Group 'C' and Group 'D' employees.
8, 10, 14, 21, 23, 40, 41, 43, 47, 52 and 54.	To authorities competent to make appointments.

[Chap. XV]

CONSENT ORDERS

[15.1]

Serial No.	No. of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated.
1	2	3	4	5
1.	Omitted.			

2.	2.27 (b)	Power to declare a Government employee's headquarters.	Departments of Government.	Full powers.
			Heads of Departments	Full powers in case of all Government employees of Group 'B', Group 'C' and Group 'D' and also Group 'A' officers upto district level.
			Conservators of Forests	Full powers in respect of posts under their control except those of Divisional Forest Officers and equivalent posts.
			Divisional Forest Officers.	Full powers in case of those Government employees whom they can appoint.
			Superintending Engineers in the Buildings and Roads and Irrigation Branches.	Full powers in case of Group 'C' and Group 'D' Government employees under their control.
			Deputy Registrar, Co-operative	Full powers in case of Government employees whom

			Societies.	they or any authority subordinate to them can appoint.
3.	2.42	Power to appoint a Government employee to officiate in a vacant post.	Departments of Government.	Full powers.
			Authority competent to make a substantive appointment to the post.	Full powers.
			Election Commissioner, Punjab.	Full Powers in respect of temporary post which he is competent to create.

[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
			Principal Chief Conservator of Forests.	Full powers for all posts except in respect of P.F.S., Group 'A'.
			Chief Engineer,	Full powers in respect of the posts under his control except

			Irrigation Works.	those of Superintending Engineers or equivalent posts.
				Full powers except in respect of posts of the rank of Sub-Divisional Officers and above.
			Director of Industries, Punjab.	Full powers to appoint a Government employee to officiate in a vacant post for 3 months in case of appointment of all Group 'C' and Group 'D' staff.
4.	2.53	Powers to define the limits of a Government employee's sphere of duty	Department of Government.	Full powers.
			Heads of Departments.	Full powers in case of all Government employees of Group 'B', Group 'C' and Group 'D' and also Group 'A' officers upto district level.
			Conservators of Forests.	Full powers in respect of posts under their control except those of Divisional Forest Officers and equivalent posts.
			Divisional	Full powers in case of those

			Forest Officers.	Government employees whom they can appoint.
			Superintending Engineers in the Public Works Departments.	Full powers in case of those Government employees whom they can appoint.
			Deputy Registrar, Co-operative Societies.	Full powers in case of Government employees whom they or any authority subordinate to them can appoint.
4-A.	Schedule to Chapter II, Paragraph I(vi)	Power to treat compulsory waiting period as duty.	Administrative Departments.	Upto 30 days

[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
5.	Schedule to Chapter II, Paragraph 1(vii)	Power to permit a Government employee to appear in an optional examination.	Departments of Government.	Full powers.
			Heads of Departments.	Full powers in respect of Group 'B', Group 'C' and Group 'D' Government

				employees.
6.	Schedule to Chapter II, Paragraph II (5).	Power to sanction the absence of a Government employee on duty beyond sphere of duty.	(i) Departments of Government.	Full powers for absence within India.
			(ii) Heads of Departments.	Full powers in individual cases for reasons of public nature to be specified in writing: Provided:– (i) the absence does not exceed 60 days; and (ii) is within India.
			(iii) Controlling Officers.	Full powers in individual cases for reasons of public nature to be specified in writing: Provided:– (i) The absence does not exceed 30 days; and (ii) is within Punjab State.

			(iv) Deputy Commissioners	Full powers to allow IAS/ PCS officers serving under them to perform journeys beyond their sphere of duty for attending courts as witnesses in their official capacity to places within Punjab.
			(v) Heads of Offices.	Full powers in individual cases, for reasons of public nature to be specified in writing: Provided :- (i) the absence does not exceed 15 days; and (ii) is within Punjab.

[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
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7.	Schedule to Chapter II, Paragraph 11(5).	Powers to sanction absence of block personnel (except Village Level Workers) and staff of Gram Sewaks Training Centres and allied wings beyond their sphere of duty for training in India.	Financial Commissioner, Development and Secretary to Government, Punjab, Development and Panchayat Department.	Full powers provided the absence does not exceed three months.
8.	3.2	Powers to dispense with the production of medical certificate of fitness.	Departments of Government.	Full powers in individual cases.
9.	Omitted.			
10.	Omitted.			
11.	3.23	Power to relax the provisions of the rule 3.22.	Departments of Government.	Full powers provided the place of making over charge is within Punjab.

			Heads of Departments and other authorities competent to grant leave.	Full powers in respect of Government employees to whom they are competent to grant leave including Group 'B' officers provided place of making over/taking over charge is within Punjab.
12.	3.24	Power to declare that proviso (a) to rule 3.23 is not applicable to any particular case.	Departments of Government.	Full powers.
			Heads of Departments and other authorities competent to grant leave.	Full powers in respect of Government employees to whom they are competent to grant leave including Group 'A' officers provided the place of making over/taking over charge is within Punjab
13.	Omitted.			
14.	4.3	Power to grant the pay and allowances of a Government employee treated as on duty under rule 2.16(b).	Departments of Government.	Full powers.
			Heads of Departments and Superintending Engineers in the Irrigation Branch.	In individual cases of Group 'C' and Group 'D' Government employees only whom they can appoint without reference to the higher authority.

15.	Omitted.
16.	Omitted.

[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
17.	Note 6 below rule 4.4	Power to issue a declaration as to the relative degree of responsibility attaching to two posts in case of doubt.	Departments of Government and Heads of Departments.	The certificate will be issued by the Administrative Department concerned in respect of the new post, in cases where the two posts are in different departments and by the Head of Department where the Head of Department is the appointing authority.
18.	4.7	Power to withhold increments.	(i) Authorities specified in the service rules.	To the extent specified in the Service Rules
			(ii) Authorities competent to make substantive appointment to the post which the Government employee holds where no service rules have been issued.	Full Powers.

			(iii) Deputy Inspectors-General of Police, Assistant Inspector General, Railway Police, Superintendents of Police, Assistant Superintendent of Railway Police and Deputy Superintendents in-charge of Railway Police Sub-Divisions.	As provided in the Police Rules, in the case of the Subordinate ranks of the Police Force.
			(iv) Heads of Offices	In the case of Group 'D' Government employees upto a maximum period of three years.
19	4.10	Power to grant premature increments to a Government employee in a time-scale of pay in order to fix initial pay in excess of the amount permissible	Departments of Government	Full powers in the following cases and subject to the following conditions:-- (a) In cases where the individual concerned does not apply for benefit under rule 4.10 for fixation of his pay within two months of the date on which the occasion for re-fixation of his pay arises, no arrears shall be allowed in respect of the

		under rules 4.4 and 4.14.		periods prior to the date of application
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[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
				<p>or, if there is no such application, the date of first reference by the Head of Office.</p> <p>(b) In cases other than cases of re-employment after resignation, removal or dismissal from the public service where a Government employee has previously rendered service in a post in the higher time scale in an officiating or temporary capacity, his service in a higher post may be allowed to count for purposes of increments in the lower post but in the case of such service rendered against work charged post benefit may be allowed of only half of such service for increments in the</p>

				<p>lower post.</p> <p>(c) Where the minimum of the scale of the lower post is greater than the minimum of the scale of the higher post the benefit claimed should be allowed with the concurrence of Department of Finance on the merits of each case.</p> <p>(d) Where the Public Service Commission/Subordinate Services Selection Board recommends a higher start in fixing the initial pay by allowing not more than five advance increments the Administrative Department may sanction the pay so recommended for a period up to six months with a stipulation to the effect that the pay would be finally fixed by the Department of Finance and if pay finally fixed is less, no recovery would be effected in respect of the initial period up to six months.</p>
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				In cases where more than five advance increments are recommended, prior approval of Department of Finance should be sought.
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[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
19-A	4.10	Powers to grant advance increment to the officers who go abroad to improve their qualifications.	Departments of Government.	Full powers subject to the condition that the procedure provided in Chief Secretary to Government, Punjab Circular letter No. 961-4GS-62/5594, dated the 16 th February, 1962 is followed.
20.	Proviso to Rule 4.13	Power to decide whether officiating pay should or should not be given in case of Clerical and Subordinate posts not borne on Provincial scales.	Heads of Offices.	Subject to the principles laid down in rule 4.13. Note: Officiating appointments in the offices of the Deputy Commissioners are regulated by the special orders relating thereto.
21.	4.16	Power to reduce	Heads of	Full powers.

		the pay of officiating Government employees.	Departments. Controller of Stationery and Printing.	In respect of officiating Government employees employed on technical establishment in the Punjab Government Presses.
22.	4.1, 4.20 and 4.21	Power to fix pay.	Heads of Departments, Superintending Engineers, Public Works Department, Irrigation Branch Conservators of Forests and Election Commissioner.	In respect of temporary posts which they are specifically authorised to create.
23.	4.22	Power to appoint a Government employee to hold temporarily or to officiate in more than one post.	Departments of Government, Speaker, Punjab Legislative Assembly. Heads of Departments.	Full powers. Full powers in respect of Group 'C' and Group 'D' Government employees.
24 to 32. Omitted				

33.	5.35(b) and 5.35 (c)	Powers to waive or reduce the amount of rent to be recovered from any Government	Departments of Government.	Full powers in types of cases enumerated in Note 1 below rule 5.35.
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[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
		employee or class of Government employees or to waive or reduce the amount of municipal and other taxes not being house or property tax to be recovered from any Government employee.	Heads of Departments.	Full powers in respect of Group 'C' and Group 'D' employees whom they can appoint in types of cases enumerated in rule 5.35.
34.	5.38	Power to sanction remission of rent when a building is uninhabitable.	Departments of Government.	Full powers in types of cases enumerated in Note 1 below rule 5.35.
			Heads of	Full powers in respect of Group

			Departments.	'C' and Group 'D' employees whom they can appoint in types of cases enumerated in rule 5.35.
35.	5.47	Power to direct that a Government employee on leave shall be in occupation of a residence.	Departments of Government	Full powers in types of cases enumerated in Note 1 below rule 5.35.
			Heads of Departments	Full powers in respect of – (a) Group 'C' and Group 'D' Government employees; (b) Group 'B' officers; and (c) Group 'A' officers up to district level.
			Chief Engineers, Public Works Departments, Building and Roads, and Superintending Engineers in the Irrigation Branch.	Full powers in respect of residences under their control occupied by Group 'C' and Group 'D' Government employees.
36 to 37. Omitted.				
38.	5.55	Powers to grant or permit a Government employee to	Departments of Government.	Upto a maximum of Rs. 2,000 if the service rendered falls within the course of the ordinary duties of the Government employee

		receive honorarium.		concerned and in other cases upto Rs. 10,000 in each individual case during a financial year.
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[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
			Heads of Departments.	<p>(i) Upto a maximum of Rs. 2,500 in each individual case during a financial year, provided the service rendered does not fall within the course of the ordinary duties of the Government employee.</p> <p>(ii) Full powers in respect of setting up of examination papers, and evaluation of answer sheets including those relating to practical examination, and in respect of payment to invigilators or supervisors and for holding of part-time classes subject to the condition that the rates</p>

				have been approved by the Department of Finance.
39.	Omitted.			
40.	5.57	Power to sanction the taking of work for which a fee is offered and the acceptance of the fees thereof –	Departments of Government.	Full powers
		(i) to the Group 'A' Officers not below the rank of Additional or Joint Heads of Departments.		
		(ii) to the Group 'A' and Group 'B' Officers other than Group 'A' Officers referred to in sub-clause (i) above.	Heads of Departments.	Full powers
		(iii) to Group 'C' and Group 'D'	Heads of Offices.	Full Powers

		Government employees working under the Heads of Offices.		
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[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
41.	7.3(4), 7.3-A(2) and 7.3-B(5)	Power to determine the amount of pay and allowances which may be paid to the Government employee.	The authority competent to order re-instatement of the Government employee.	Full powers.
42.	7.3-B(7)	Power to treat the period of suspension of the Government employee as a period spent on duty for any specified purpose.	The authority competent to order reinstatement of the Government employee.	Full powers.
43.	8.18	Powers to grant leave to a Government employee in respect of whom a medical committee has	Departments of Government.	Full powers in respect of Group 'A' and Group 'B' officers.
			Heads of Departments.	Full powers in respect of Group 'C' and Group 'D'

		reported that there is no reasonable prospect that he will ever be fit to return to duty.		Government employees.
44.	8.23	Powers to grant leave.	Departments of Government.	Full powers.
45.	8.27 and 8.28	Power to direct in any case otherwise than as laid down in rules 8.27 and 8.28.	Departments of Government.	Full powers. In respect of Government employees to whom they are competent to grant leave.
			Heads of Departments	
			Conservators Of Forests.	
46.	8.29	To grant permission to prefix or affix vacation to leave in cases where the combination of vacation with leave involves extra expense to Government.	Departments of Government.	Full powers.
47.	8.33	Powers to decide in doubtful or	Departments of Government.	Full powers.

		inequitable cases which Government employee shall be held to have been incharge and to whom the pay of the post for Sunday or holidays shall be paid.	Heads of Departments.	Full powers in respect of Group 'B', Group 'C' and Group 'D' Government employees.
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[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
48.	8.41 (b)	Powers to grant permission to a Government employee on leave to accept employment or to take up service.	Departments of Government.	Full powers.
			Speaker, Punjab Legislative Assembly.	
49.	8.47	Power to extend leave overstayed.	Heads of Departments.	Full powers in respect of Group 'B', Group 'C' and Group 'D' Government employees.
			Departments of Government.	Full powers.
			The authority granting the leave.	Upto 14 days out of India and 7 days in India.

			Heads of Departments.	Upto 90 days.
			Chief Engineers Buildings and Roads and Public Health.	Full powers in the case of Officers of the rank of S.D.Os. Assistant Executive Engineers, other officers upto the rank of Executive Engineers.
50.	Paragraph 2(ii) annexure to section 1, Chapter VIII.	Power to decide in case of doubt whether a particular Government employee is serving in a vacation Department.	Departments of Government.	Full powers.
51.	Omitted.			
52.	8.137	Extraordinary leave.	Departments of Government	Upto two years
			Heads of Departments.	Upto one year
53.	9.7	Power to permit the calculation of joining time by a route other than that which travellers habitually use.	Heads of Departments.	Full powers.
54.	9.19(a)	Power to grant extension	Departments of	Full powers.

		of joining time.	Government.	
55.	10.2(b)	Power to transfer a Government employee to foreign service in India.	Departments of Government. Heads of Departments Director of Health Services	Full powers subject to the conditions in Serial No.56. Full powers to transfer Medical Officer to foreign service under local bodies.

[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
56.	10.4	Power to fix pay in foreign service.	(a) Departments of Government. (b) Heads of Departments. (c) Director of Health Services	Full powers subject to the conditions laid down in Annexure 'A' to Chapter X. Full powers in the case of those Government employees whom they can appoint and subject to the conditions laid down in Annexure 'A' to Chapter X. Full powers in the case of Medical Officer transferred to foreign service under local bodies provided the pay fixed

				<p>is not in excess of that drawn in Government service; and provided further that no concessions are sanctioned in addition to pay except –</p> <p>(1) Payment by the foreign employer of Government share of the contribution towards New Defined Contributory Pension Scheme.</p> <p>(2) Grant of free quarters or an allowance at the rate specified in sub-rule (4) of rule 5.</p>
57.	Rule 10.18	Powers to decide the date of reversion of a Government employee returning after leave from foreign service.	Heads of Departments.	Full powers.
58 to 65	Omitted.			
PUNJAB VIDHAN SABHA SECRETARIAT				
66.	Note 2	To create temporary	Secretary, Punjab Vidhan Sabha.	(a) For the duration of Punjab Vidhan Sabha Session;

	under rule 14.4	posts of – (a) Watch and Ward Assistants upto 10. (b) Telephone Attendants upto 10. (c) Telephone Messengers upto 10.		and (b) The pay and allowances shall not in any case exceed the rates admissible for similar posts in the Punjab Civil Secretariat or Punjab Vidhan Sabha Secretariat.
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[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
ADMINISTRATION OF JUSTICE				
67.	Note 2 under rule 14.4	(a) To create new permanent ministerial posts required for the High Court and courts subordinate thereto.	The Hon'ble Judges of the High Court	The pay of the posts shall not exceed the sanctioned scale of the corresponding permanent posts.
		(b) To create new permanent posts in the process Serving Establishment required for the High Court and Courts Subordinate thereto.	Ditto	The pay of the posts shall not exceed the sanctioned scale of the corresponding permanent posts.
		(c) To create new permanent posts in the Group 'D' Establishment required for the High Court and Courts subordinate thereto.	Ditto	The pay of the posts shall not exceed the sanctioned scale of the corresponding permanent posts.
		(d) To create temporary ministerial and Group 'D' posts required for the High Court and Courts subordinate thereto.	The Hon'ble Judges of High Court	(i) the pay attached to such posts shall be in accordance with the sanctioned scales for the permanent posts. (ii) Within the financial year unless the pay is according to the scale laid down in items (a) (b) and (c) above.
		(e) To create the posts of a messenger for each district Court when the amount of station dak to be dealt with appears to render this necessary.	Ditto	Pay to be in the usual scale.
		(f) Omitted.		
		(g) To create temporary posts on the scale given below for courts of temporary each Additional District	District and Sessions Judge.	(i) Pay not to exceed – (a) Reader Rs. 10300-34800+ 5000 Grade Pay;

		and Sessions Judge:— (a) Reader — One (b) Judgement Writer (Senior grade) — One (c) Stenographer — One (d) Translator — One (e) Ahlmad — One (f) Copy Clerk — One		(b) Judgement Writer (Senior Grade) Rs.10300-34800+ 4200 Grade Pay; (c) Stenographer Rs. 10300-34800+3800 Grade Pay; (d) Translator Rs. 10300-34800+ 3800 Grade Pay; (e) Ahlmad Rs. 10300-34800+ 3200 Grade Pay; (f) Copy Clerk Rs. 10300-34800+ 3200 Grade Pay;
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[15.1] THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART I) [Chap. XV]

1	2	3	4	5
		(g) Usher — One (h) Peon — Two		(g) Usher Rs. 4900-10680+1400 Grade Pay; and (h) Peon Rs. 4900-10680+1300 Grade Pay. (ii) The period of appointment shall be for so long as the posts of temporary Additional District & Session Judges are created subject to the limit that sanction shall not be given to extend beyond the last day of the financial year.

		<p>(h) To create temporary posts on the scale given below for courts of temporary each Additional Sub Judge: –</p> <p>(a) Reader- One</p> <p>(b) Judgement Writer (Junior grade) – One</p> <p>(c) Ahlmad –One</p> <p>(d) Naib Nazir–One</p> <p>(e) Peon –Two</p>	District and Sessions Judge.	<p>(i) Pay not to exceed –</p> <p>(a) Reader Rs. 10300-34800+3800 Grade Pay;</p> <p>(b) Judgement Writer (Junior Grade) Rs. 10300-34800+ 3800 Grade Pay;</p> <p>(c) Ahlmad Rs. 10300-34800+ 3200 Grade Pay;</p> <p>(d) Naib Nazir 10300-34800+ 3200 Grade Pay; and</p> <p>(e) Peon Rs.4900-10680+1300 Grade Pay; and</p> <p>(ii) The period of appointment shall be for so long as the post of temporary Additional Sub Judge is created subject to the limit that sanction shall not be given to extend beyond the last day of the financial year:</p> <p>Provided that a Naib-Nazir is entertained only if held to be necessary by the District and Sessions Judge.</p>
		<p>(i) To create the temporary post of a steno-typist for the court of Sub-Judge-cum-Judicial Magistrate.</p>	District and Session Judges	<p>(i) The pay of the posts shall not exceed the sanctioned scale of the corresponding permanent post.</p> <p>(ii) The period shall be for so long as the post of the Sub-Judge-</p>

[Chap. XV]

CONSENT ORDERS

[15.1]

1	2	3	4	5
				<p>cum-Judicial Magistrate exists, subject to the limit that sanction shall not be given to extend beyond the last day of the financial year.</p> <p>(iii) Provided that the post of Copyist/Naib Nazir/Execution Clerk is kept in abeyance for the period for which a Steno-typist's post is created.</p>

		(j) To create temporary posts of Bailiffs for execution work in connection with applications made to Courts on behalf of Cooperative Societies.	District and Sessions Judge	<p>Provided:—</p> <p>(i) the pay attached to such post is in accordance with the sanctioned scales:</p> <p>(ii) the pay plus leave and pension contribution in accordance with the rate fixed for the Punjab Government are recovered from the societies concerned.</p>
		<p>(k) To create temporary posts required for courts of Chief Judicial Magistrate and Judicial Magistrate : —</p> <p>(a) Reader—One</p> <p>(b) Judgement Writer (Junior grade)—One</p> <p>(c) Ahlmad —One</p> <p>(d) Steno-typist —One</p> <p>(e) Peon —Two</p>	District and Sessions Judges.	<p>(i) Pay not to exceed —</p> <p>(a) Reader Rs. 10300-34800+ 4200 Grade Pay;</p> <p>(b) Judgment Writer (Junior Grade) Rs. 10300-34800+3800 Grade Pay;</p> <p>(c) Ahlmad Rs. 10300-34800 + 3200 Grade Pay;</p> <p>(d) Steno-typist: Rs. 5910-20200 + 2800 Grade Pay;</p> <p>(e) Peon Rs. 4900-10680 + 1300 Grade Pay; and</p> <p>(ii) The period of appointment shall be for so long as the posts of temporary Judicial Magistrates are created subject to the limit that sanction shall not be given to extend beyond the last day of the financial year.</p>
68 to 73	Omitted.			

**GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE**

THE PUNJAB CIVIL SERVICES RULES

Volume I

**Rules relating to Pay and Allowances, Leave, Joining Time and
other General Conditions of Services**



PART I – MAIN RULES

(Revised Edition)

(As amended upto 31st January, 2016)

Issued by the authority of Government of Punjab, Department of Finance

CHANDIGARH

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Preface to the Revised Edition

This edition of the Punjab Civil Services Rules, Volume I, Part I incorporates all amendments made upto the 31st January, 2016.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

Dated Chandigarh,
The 18th February, 2016.

D. P. REDDY,
Additional Chief Secretary,
Government of Punjab,
Department of Finance.

PREFACE

This edition of the Punjab Civil Services Rules, Volume I, Part I incorporates all amendments made up to the 31st March, 1984.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

G. BALA KRISHNAN,

DATED CHANDIGARH

SECRETARY TO THE GOVERNMENT OF

THE 15TH MAY, 1984.

PUNJAB, DEPARTMENT OF FINANCE.

PREFACE

This is an up-to-date compilation of the Punjab C.S.R. Volume I. All the corrections and amendments made to the various rules up to 1st August 1976 have been incorporated in it and the old leave rules which have become obsolete have been omitted. The policy instructions issued during the last fifteen years regarding the terms of deputation on foreign service etc. have been codified and included in Chapter X. Changes, where required, due to Re-organisation of Punjab, upon the re-designation of posts, revision of the pay scales and replacement of old major

Heads of Accounts with the adoption of new budgetary procedure have been suitably incorporated.

2. Suggestions for making this edition more useful, for correction of errors and supplying of omissions, if any, may be sent to the Finance Department.

S.P. BAGLA,

Commissioner for Finance &
Secretary to Government, Punjab,
Finance Department.

PREFACE TO THE FIRST EDITION

The Punjab Civil Services Rules, issued in exercise of the powers conferred by the proviso to article 309 of the Constitution of India, are contained in three volumes:

- (1) Volume I contains rules relating to pay and allowances, leave, passages and other general conditions of service.
- (2) Volume II contains rules relating to pensions and provident funds.
- (3) Volume III contains rules relating to travelling allowances.

Volume I has been further divided into two parts-Part I, covering the main rules, and Part II, the appendices and forms.

2. These rules will apply in respect of Government employees belonging to the categories mentioned at rule 1.2, from the date of issue of this publication.

3. In so far as the Government employees, whose conditions of service are regulated by the rules issued by the late Secretary of State under Government of India Act, 1935 are concerned, the Fundamental Rules, as amended by the President of India, from time to time, will continue to apply. These rules are contained in the Punjab Government Compilation of the Fundamental Rules and the Subsidiary Rules. These rules also do not apply to members of the I.A.S. and I.P.S. serving under the

Punjab Government. They will be governed by the rules issued by the President of India in this behalf.

4. The rules in this Volume are based mainly on the existing rules and orders contained in Civil Services Rules (Punjab), Volume I, Part I-Main Rules (First Edition) – 1941, modified in the background of the changes resulting from the partition of the Punjab and Constitutional requirements. To avoid over-lapping, Chapters XV and XVI of the Edition referred to above, containing the “Assent” and “Delegation Orders” issued under the various rules, have been brought together in Chapter XV. The Punishment and Appeal Rules, previously contained in Section III of Chapter XIV, are now in the form of an appendix in Part II to this Volume.

5. Correction slips and amendments issued to the various rules upto 31st March 1953, have been included. Amendments notified subsequently may be taken as modifying the corresponding rules in this Volume. They will be re-issued in due course, as correction slips to this Volume.

6. The opportunity has also been taken to include important orders relating to interpretation of rules, in the form of “Notes” or “Illustrations” below the relevant rule.

7. The forms which have been adopted in the rules in this Volume have been given a separate new "Pb. C.S.R." (Abbreviation for Punjab Civil Services Rules) Series. These will be found in Part II of this Volume.

8. All Government employees who notice any errors or omissions in these rules, are requested to bring them to the notice of their Heads of Departments, who will please submit their proposal to the Finance Department, through the Administrative Department concerned.

E.N. MANGAT RAI,
Secretary to Government, Punjab,
Finance Department.

THE PUNJAB CIVIL SERVICES RULES

Volume I PART II

APPENDIX 1

[Referred to in rules 1.1, 1.2 (b) (1), (2) and (3) and 1.3]

Extracts from the various articles of the Constitution of India

* * * * *

* * * * *

16. Equality of opportunity in matters of public employment.—(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

(4B) Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty per cent reservation on total number of vacancies of that year.

(5) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

* * * * *

187. Secretariat of State Legislature.—(1) The House or each House of the Legislature of a State shall have a separate secretarial staff:

Provided that nothing in this clause shall, in the case of the Legislature of a State having a Legislative Council, be construed as preventing the creation of posts common to both Houses of such Legislature.

(2) The Legislature of a State may by law regulate the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the House or Houses of the Legislature of the State.

(3) Until provision is made by the Legislature of the State under clause (2), the Governor may, after consultation with the Speaker of the Legislative Assembly or the Chairman of the Legislative Council, as the case may be, make rules regulating the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Assembly or the Council, and any rules so made shall have effect subject to the provisions of any law made under the said clause.

* * * * *

229. Officers and servants and the expenses of High Courts.— (1) Appointments of officers and servants of a High Court shall be made by the Chief Justice of the Court or such other Judge or officer of the Court as he may direct:

Provided that the Governor of the State may by rule require that in such cases as may be specified in the rule no person not already attached to the Court shall be appointed to any office connected with the Court save after consultation with the State Public Service Commission.

(2) Subject to the provisions of any law made by the Legislature of the State, the conditions of service of officers and servants of a High Court shall be such as may be prescribed by rules made by the Chief Justice of the Court or by some other Judge or officer of the Court authorised by the Chief Justice to make rules for the purpose:

Provided that the rules made under this clause shall, so far as they relate to salaries, allowances, leave or pensions, require the approval of the Governor of the State.

(3) The administrative expenses of a High Court, including all salaries, allowances and pensions payable to or in respect of the officers and servants of the Court, shall be charged upon the Consolidated Fund of the State, and any fees or other moneys taken by the Court shall form part of that Fund.

APPENDIX 1

* * * * *

309. Recruitment and conditions of service of persons serving the Union or a State.—Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State:

Provided that it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.

310. Tenure of office of persons serving the Union or a State.— (1) Except as expressly provided by this Constitution, every person who is a member of a defence service or of a civil service of the Union or of an all-India service or holds any post connected with defence or any civil post under the Union holds office during the pleasure of the President, and every person who is a member of a civil service of a State or holds any civil post under a State holds office during the pleasure of the Governor of the State.

(2) Notwithstanding that a person holding a civil post under the Union or a State holds office during the pleasure of the President or, as the case may be, of the Governor of the State, any contract under which a person, not being a member of a defence service or of an all-India service or of a civil service of the Union or a State, is appointed under this Constitution to hold such a post may, if the President or the Governor, as the case may be, deems it necessary in order to secure the services of a person having special qualifications, provide for the payment to him of compensation, if before the expiration of an agreed period that post is abolished or he is, for reasons not connected with any misconduct on his part, required to vacate that post.

311. Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State.— (1) No person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed.

(2) No such person as aforesaid shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges:

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Provided that where it is proposed after such inquiry, to impose upon him any such penalty, such penalty may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed:

Provided further that this clause shall not apply—

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(b) where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry; or

(c) where the President or the Governor, as the case may be, is satisfied that in the interest of the security of the State it is not expedient to hold such inquiry.

(3) If, in respect of any such person as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in clause (2), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank shall be final.

* * * * *

318. Power to make regulations as to conditions of service of members and staff of the Commission.—In the case of the Union Commission or a Joint Commission, the President and, in the case of a State Commission, the Governor of the State may by regulations—

(a) determine the number of members of the Commission and their conditions of service; and

(b) make provision with respect to the number of members of the staff of the Commission and their conditions of service:

Provided that the conditions of service of a member of a Public Service Commission shall not be varied to his disadvantage after his appointment.

APPENDIX 2
[Referred to in Rule 1.4 (iii)]

List of Government employees employed occasionally or who are liable to discharge at one month's notice or less.

PUBLIC RELATIONS DIRECTORATE

- | | |
|---------------|-------------|
| 1. Chaukidars | 2. Sweepers |
| 3. Bhishties | |

PUNJAB LEGISLATIVE ASSEMBLY

- | | |
|---------------|--------------|
| 1. Bearers | 4. Bhishties |
| 2. Malis | 5. Sweepers |
| 3. Chaukidars | 6. Coolies |
| | 7. Farash. |

SUBORDINATE COURTS

- | | |
|---------------|--|
| 1. Chaukidars | 5. Malis |
| 2. Kahars | 6. Bullockman |
| 3. Bhishties | 7. Dak Carriers |
| 4. Sweepers | 8. Contractors for working
the well in the Court. |

JAILS

- | | |
|---------------------------|------------------------------------|
| 1. Sweepers (Part-time) | 3. Cooks (Contingent paid staff) |
| 2. Chowkidars (Part-time) | 4. Cartmen (Contingent paid staff) |

RECLAMATION

- | | |
|----------------------------------|-------------------|
| Central Office | 1. Sweepers |
| | 2. Malis |
| | 3. Khalasis |
| | 4. Chaukidars |
| | 5. Mates |
| | 6. Water-carriers |
| Reformatory Settlement, Amritsar | 1. Water-carriers |
| | 2. Sweepers |
| | 3. Ward Coolies |
| | 4. Mali |
| | 5. Lampman |
| | 6. Warders |
| | 7. Cooks |

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Probation and Social Welfare Officers,
Jalandhar

1. Khalasis
2. Sweepers
3. Watchman
4. Water-carrier
5. Warders

Dhangu, Pathankot

1. Sweeper
2. Waterman
3. Lambardar

POLICE

- | | |
|---------------|--------------|
| 1. Barbers | 8. Mochis |
| 2. Bhishties | 9. Masons |
| 3. Carpenters | 10. Painters |
| 4. Cooks | 11. Sweepers |
| 5. Dhobis | 12. Tailors |
| 6. Khalasis | 13. Bearers |
| 7. Malis | |

EDUCATION

- | | |
|----------------------|---------------------------|
| 1. Bearers (skilled) | 12. Hospital Orderlies |
| 2. Malis (skilled) | 13. Mate Coolies |
| 3. Mali Coolies | 14. Tailors |
| 4. Chaukidar | 15. Woodmen |
| 5. Sweepers | 16. Lampmen |
| 6. Bhishties | 17. Cooks |
| 7. Gate Women | 18. Kahars |
| 8. Malis | 19. Lamp and Boot
Boys |
| 9. Masalchies | 20. Table servants |
| 10. Head Coolies | |
| 11. Ayas | |

HEALTH

- | | |
|-------------------------|------------------|
| 1. Orderlies | 6. Cooks |
| 2. Peons | 7. Bhishties |
| 3. Ward Coolies (Men) | 8. Sweepers |
| 4. Ward Coolies (Women) | 9. Chaukidars |
| 5. Malis | 10. Sweeperesses |

APPENDIX 2

- | | |
|-----------------------------|-------------------------------|
| 11. Bearers (Men) | 25. Literate Bearers |
| 12. Bearers (Women) | 26. Bullockmen |
| 13. Dhobies | 27. Mat-makers |
| 14. Operation-room Cleaners | 28. Cartmen |
| 15. Kahars | 29. Weavers |
| 16. Nurse Boys | 30. Sanitary-keepers |
| 17. Ayas | 31. Embalmer |
| 18. Khalasis | 32. Engine Driver |
| 19. Tailors | 33. Fireman |
| 20. Masalchies | 34. Porters |
| 21. Gatemen | 35. Hospital Coolies (Women) |
| 22. Khansamas | 36. Coolies |
| 23. Cookmate | 37. Cold Storage Plant Coolie |
| 24. Khidmatgars | 38. Farash |
| | 39. Calfmen |

GOVERNMENT PRINTING AND STATIONERY DEPARTMENT

- | | |
|----------------------|-------------------|
| 1. Part-time Sweeper | 2. Part-time Mali |
|----------------------|-------------------|

INDUSTRIAL TRAINING

- | | |
|--------------------------------|------------------------------------|
| 1. Band Saw Mistries | } Government Work Centre, Rajpura. |
| 2. Assistant Band Saw Mistries | |
| 3. Band Saw Pullers | |
| 4. Store Coolie | |

INDUSTRIES

1. Mali
2. Assistant Malis
3. Workshop Coolies
4. Watermen
5. Bhishties
6. Kahars
7. Sweepers
8. Beldars
9. Oilmen and Cleaner

PUBLIC WORKS DEPARTMENT, IRRIGATION BRANCH**(1) Superior Work-Charged Establishment**

1. Arboriculture Darogha
2. Assistant Observer
3. Blacksmiths, 1st Class
4. Blacksmiths, 2nd Class

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

5. Chargemen (Engine).
6. Dragline Operators, Ist Class
7. Dragline Operators, 2nd Class.
8. Electricians.
9. Fitters.
10. Firemen.
11. Foremen (Mechanical and Power-house, Grade A).
12. Foremen (Mechanical and Power-house, Grade B.).
13. Greasers.
14. Linemen.
15. Masons, 1st Class.
16. Masons, 2nd Class.
17. Mistries.
18. Moulders, Ist Class.
19. Moulders, 2nd Class.
20. Painters.
21. Pattern Makers.
22. Permanent Way Inspectors.
23. Pump Operators.
24. Regulation Jamadar.
25. Regulation Jamadar (Assistant).
26. Shunting Jamadars.
27. Shunting Porters.
28. Surveyors.
29. Switch board Attendants.
30. Tinsmiths.
31. Train Guards.
32. Turners.
33. Wiremen, Senior.
34. Wiremen, Junior.
35. Carpenters, 1st Class.
36. Carpenters, 2nd Class
37. Drivers, 1st Class.
38. Drivers, 2nd Class.
39. Oilmen.
40. Timekeepers.

(2) Group 'D' Work-Charged Establishment

1. Attendants, Concrete-Mixer.
2. Attendants, Pumps.
3. Beldars, Regulation (at Headworks).

APPENDIX 2

4. Beldars, Regulation (elsewhere than a Headworks).
5. Beldars, Maintenance (for Roads, Banks etc.)
6. Beldars, Garden.
7. Beldars, Plantation.
8. Beldars, Patrol.
9. Beldars, Patrol (River and Protection Works)
10. Bhishties
11. Bellowsmen
12. Boatmen or Ferrymen
13. Boatmen Head or Jamadar
14. Boatmen Naib-Jamadar
15. Daraimen
16. Bullockmen and Cartmen
17. Caretakers (see Chowkidars)
18. Chawkidars Store
19. Chaukidars at Rest-Houses with Crockery
20. Chaukidars at other Rest-houses
21. Cleaners Engine
22. Cleaners, Machinery
23. Coolies, ordinary
24. Coolies, Workshop or Power-house
25. Drivers
26. Gangmen (Plant and Machinery)
27. Gangmen (Plant and Machinery), Jamadars
28. Gatekeepers
29. Greasers, Engine
30. Hammermen, ordinary
31. Khalasis, ordinary
32. Khalasis, survey
33. Khalasis, survey Head
34. Malis
35. Malis-Head (where more than one mali is employed in the same garden)
36. Mali, Chaukidars (at Rest-houses)
37. Mates, earthwork
38. Sweepers
39. Sweepers, Jamadar
40. Tindals

PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS BRANCH**(i) Work-charged Establishment**

1. Mason Mistri.
 2. Malis.
 3. Road Inspectors.
 4. Consolidation Inspectors.
 5. Tarring Inspectors.
 6. Mistries (including electrical mistries).
 7. Road Mates.
 8. Road Beldars.
 9. Firemen.
 10. Work and Road Munshis.
 11. Arboriculture Inspectors.
 12. Machinery Inspectors.
 13. Steam Road-Roller Driver.
 14. Motor Vehicle Drivers.
 15. Motor Vehicle Cleaners.
 16. Collection Inspectors.
 17. Foreman, Mechanical.
 18. Works Supervisor.
 19. Work Inspector.
 20. Work-charged Overseer.
 21. Chaukidars.
 22. Rest-house Chowkidars.
 23. Rest-house Sweepers.
 24. Road Moharrirs.
 25. Tar Sprayers.
 26. Carpenters.
 27. Linesmen.
 28. Machinery Fitter.
 29. Surveyors.
 30. Gauge Readers.
 31. Bhishties.
 32. Electric Khalasis.
 33. Electric Coolies.
 34. Godown Chowkidars.
 35. Mortar Munshi.
 36. Darogha Boat Bridge.
 37. Sarang.
 38. Engine Driver.
 39. Lascar Tyndel .
 40. Pilot.
 41. Quartermaster.
 42. Boiler Tyndel.
- } Boat bridge and Steamer establishment

APPENDIX 2

43.	Donkey Tyndel.	}	Boat bridge and Steamer establishment.
44.	Oilmen.		
45.	Firemen.		
46.	Landing Tyndel.		
47.	Cook.		
48.	Sweeper.		
49.	Lascar for borge.		
50.	Carpenter.		
51.	Naib Tyndel.		
52.	Boatman.		
53.	Daffadar.		
54.	Assistant Boat Rower.		
55.	Blacksmith.		
56.	Fitter.		
57.	Launch driver.		
58.	Hammerman.		
59.	Workshop Coolie.		
60.	Turner and Moulder.		
61.	Mates.		
62.	Beldars.		

PUBLIC HEALTH DEPARTMENT

1. Foreman Laundry Plant
2. Assisant Foreman
3. Mechanical Chargeman
4. Electrical Chargeman
5. Pipe Fitter grade-I
6. Pipe Fitter grade-II
7. Mason grade-I
8. Mason grade-II
9. Carpenter grade-I
10. Carpenter grade-II
11. Work Inspector
12. Work Mistry
13. Work Munshi
14. Pump Driver (Diesel and Electrical)
15. Assistant Pump Driver
16. Pump Attendant
17. Vehicle Driver
18. Meter Reader
19. Bill Clerk
20. Press Man
21. Skilled Helper

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

22. Store Munshi
23. Head Sewerman
24. Telephone Attendant
25. Store Coolie
26. Mali-cum-Chowkidar
27. Washerman
28. Chageman/Boiler Chageman
29. Fitter Coolie
30. Pump Driver grade-I (Diesel and Electrical)
31. Operator grade-II
32. Operator Air Conditioner
33. Refrigerator Mechanic
34. Mason-cum-Carpenter
35. Painter grade-I
36. Painter grade-II
37. Beldars
38. Mali
39. Chaukidar
40. Mates
41. Sweepers
42. Helper/Helper to Washerman/Pressman/Electrician
43. Telephone Clerk
44. Sub-Divisional Mechanic
45. Ferro Khalasi
46. Khalasi/Survey Khalasi
47. Superintendent Rig
48. Driller
49. Assistant Driller
50. Store Attendant
51. Pressure Fitter Attendant
52. Chemist grade-II
53. Mason and Bricklayer
54. Store Attendant
55. Labourer
56. Surveyor
57. Tractor Mechanic
58. Assistant Fitter
59. Heavy Duty Foreman (Mech. and Auto Elect.)
60. Welder
61. Supervisor
62. Patwari

 APPENDIX 2

63. Wireman
64. Ledger Keeper
65. Fitter Mech./Auto/Chorinator
66. Assistant Electrical Chargeman

CONTINGENT ESTABLISHMENT

1. Ferro Khalasi
 2. Beldars
 3. Bhishties
 4. Chaukidars
 5. Cleaners (Gurdaspur School)
 6. Trollymen (Gurdaspur School)
 7. Guard Establishment (Gurdaspur School)
 8. Coolies
 9. Farashes (Gurdaspur School)
 10. Khalasis
 11. Malis
 12. Mates
 13. Sweepers
 14. Store Coolies
 15. Charasamen
 16. Workshop Chowkidar
 17. Workshop Coolies
 18. Farash
 19. Sweeper
 20. Bhishti
- } The Punjab College of
Engineering and Technology.

**ESTABLISHMENT UNDER THE CONTROL OF THE
FINANCIAL COMMISSIONERS**

1. Water-carriers
2. Bhishties
3. Sweepers
4. Malis
5. Chaukidars
6. Khalasis (Tent pitchers)
7. Turnkeys
8. Khansamas
9. Debt Conciliation Board Chaprasis
10. Camel drivers
11. Joriwalas
12. Beldars

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

13. Bearers
14. Dak-runners
15. Supply contractors
16. Gauge readers
17. Watch-winders
18. Carpenters
19. Frashes
20. Peti Bardars
21. Mirdhas
22. Karwas
23. Munadiwala
24. Cartmen
25. Motor Drivers
26. Mates
27. Syces
28. Cattle attendants
29. Dairy attendants
30. Fisheries watchers
31. Boatmen
32. Forest guards (Work-charged)
33. Watchers
34. Drainmen
35. Enumerators
36. Peons (Work-charged)
37. Weighmen
38. Mechanics
39. Coolies
40. Shepherds
41. Ploughmen
42. Well men
43. Bellow boys
44. Literate labourers

APPENDICES 3 to 6

Omitted

APPENDIX 7

(Referred to in Note 3 below rule 5.35)

LIST OF GOVERNMENT EMPLOYEES GRANTED RENT FREE QUARTERS

Rent-free accommodation has been granted to the Government employees mentioned in column 3 of the table below subject to the conditions, if any, given in column 4:-

Sr. No.	Department	Designation of Government employees	Remarks
1	2	3	4
1.	Forest	(1) Range Clerks (2) Deputy Rangers (3) Foresters (4) Forest Guards (5) Forest Rangers in charge of ranges (6) Sewadars	Where quarters are available. House rent allowance in lieu of rent-free accommodation, shall be admissible to Deputy Rangers and Foresters as specified in sub-rule (4) of Rule 5 of Part I of this Volume, if rent-free accommodation is not provided. Conservators are authorised to hire quarters for Forest Guards where Government quarters are not available at a monthly rent not exceeding the rates, as may be fixed by the Government from time to time. House rent allowance in lieu of rent-free accommodation shall be admissible as provided in sub-rule (4) of Rule 5 of Part I of this Volume, where no rent-free quarters are available. May occupy Government quarters, where they exist.
2.	General Administration- (i) Secretariat Staff of the Government.	(i) Staff employed in Raj Bhawan (ii) Resident Assistant, Punjab Civil Secretariat.	On Raj Bhawan occupying staff quarters and other buildings appurtenant to Raj Bhawan.

APPENDIX 7

1	2	3	4
	<p>(ii) District Administration.</p> <p>(iii) Welfare of Scheduled Castes and Backward Classes Department.</p>	<p>(iii) Personal Assistant and Telephone Attendant of Chief Minister's residence.</p> <p>Tehsildars, Naib-Tehsildars or other Tehsil Officials</p> <p>(1) Executive, Technical Teaching, Watch and Wards, Group 'D' and other staff of the Welfare of Scheduled Castes and Backward Classes Department, Settlements and Reformatory Schools</p> <p>(2) Mukaddams employed in villages under the control of the Welfare of Scheduled Castes and Backward Classes Department.</p> <p>(3) Supervisory, teaching and Group 'D' staff of the villages and colonies under direct control.</p>	<p>When quarters are built in a Tehsil building or compound for these Government employees.</p> <p>The concession to Mukaddams in the Welfare of Scheduled Castes and Backward Classes Department is similar to that allowed to Mukaddams in the Agriculture Department.</p> <p>Where accommodation is not available for occupation by a member to the staff, no house-rent allowance will be given in lieu.</p>
3.	Administration of Justice	Court Officer (Caretaker) of the High Court of Punjab.	

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
4.	Jails	<p>(1) Superintendents/ Deputy Superintendents I Grade</p> <p>(2) Deputy Superintendents II Grade/District Probation Officer/ Probation Officers</p> <p>(3) Assistant Superintendents/ Welfare Officers</p> <p>(4) Omitted.</p> <p>(5) Whole time Medical Officers and Medical Subordinates</p> <p>(6) Compounders</p> <p>(7) Warders Staff</p> <p>(8) Gate Keepers of Central Jails and Store Keepers</p> <p>(9) Store Keeper</p>	<p>(a) Who live in buildings attached to the jails or in quarters specially provided close to the jails. If quarters are not provided at Government expense, they shall receive house rent allowance in lieu thereof as provided in sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>(b) The house rent allowance mentioned in (a) above will not be admissible during the period the Government employees remain on training.</p> <p>Residential quarters shall ordinarily be provided at each jail for these Government employees.</p> <p>If rent-free quarters on Jail premises are not available house rent allowance in lieu thereof, shall be admissible as provided in sub-rule (4) of Rule 5 of Part-I of this Volume.</p>
5.	Police (i) District Executive Force, Punjab Armed Police, Government Railway Police and the CID.	(1) All Police officials of rank lower than that of Assistant or Deputy Superintendent of Police	May be provided with free quarters in Police Lines, Stations, etc. When quarters are not available in Police Lines, etc., other suitable quarters may be provided or house-rent allowance granted at the rate fixed by the competent authority, by the authorities mentioned in rule 10.76 of the Punjab Police Rules, Volume I and subject to

APPENDIX 7

1	2	3	4
			<p>the condition specified therein–</p> <p>(1) Inspector at–</p> <p>(a) the headquarters or Cantonment of Delhi in respect of Government Railway Police only, Amritsar.</p> <p>(b) the Headquarters or cantonments of Jalandhar and Ferozepur.</p> <p>(c) any other place in the Punjab</p> <p>(2) Probationary Inspectors</p> <p>(3) Sub-Inspectors at–</p> <p>(a) the headquarters or cantonments of Delhi in respect of Government Railway Police only, Amritsar.</p> <p>(b) the headquarters or cantonments of Jalandhar and Ferozepur.</p> <p>(c) Any other place in the Punjab</p> <p>(4) Probationary Sub-Inspectors</p> <p>(5) Assistant Sub-Inspectors, Probationary Assistant Sub-Inspectors and Head Constables–</p> <p>(a) the headquarters or cantonments of Delhi in respect of Government Railway Police only, Amritsar.</p> <p>(b) the headquarters or cantonments of Jalandhar and Ferozepur.</p> <p>(c) Any other place in the Punjab</p> <p>(6) Married Constables at–</p> <p>(a) Ferozepur</p> <p>(b) Delhi, in respect of Government Railway Police only, and other District headquarters</p> <p>(c) Elsewhere</p>

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
	<p>(ii) Punjab Police Academy, Phillaur</p> <p>(iii) Finger Print Bureau, Phillaur</p>	<p>(1) Unmarried probationary Assistant Superintendents under training at the Punjab Police Academy, Phillaur</p> <p>(2) Principal, Punjab Police Academy, Phillaur</p> <p>(3) All police officers of rank lower than that of Assistant and Deputy Superintendent, Police</p> <p>(4) Cook of the Officers' Mess</p> <p>Deputy Superintendent of Police Incharge of the Finger Print Bureau, Phillaur</p>	<p>May occupy "Officers' Mess" which includes Main Block (lately known as Bangalow No. E.7 and also new quarters known as A Block in the Officers' Mess).</p> <p>Quarters in the Fort at Phillaur.</p> <p>May be provided with free quarters in the Punjab Police Academy, Phillaur. When quarters are not available in this Academy, other suitable quarters may be provided or house-rent allowance granted.</p> <p>Quarters provided for him at the Academy.</p> <p>May occupy Police Bungalow situated in Civil Lines, Phillaur.</p>
6.	Education	<p>(1) Superintendents of the hostels attached to Government Educational Institutions.</p> <p>(2) Educational officials in Government Colleges</p>	<p>The Superintendents of Hostels attached to Government Educational Institutions are, if unmarried, provided with free quarters if such quarters exist. If married they are provided with free quarters suitable for a married man or if such quarters do not exist house rent allowance in lieu of rent-free accommodation shall be allowed under sub-rule (4) of Rule 5 of Part I of this Volume.</p> <p>(i) May be granted rent-free quarters with the special orders of Government in each case when a substantial proportion of the students of a College is resident in hostels adjoining or near the College building.</p> <p>(ii) Except in very special cases the concession will be confined to the Principal and one professor.</p> <p>(iii) Residence will be assigned to the members of college staff selected by Government.</p>

APPENDIX 7

1	2	3	4
		(3) The Principal, nurses and as many mistresses of the Government Colleges for Women and schools for girls as possible.	<p>Free living accommodation in a school or college premises wherever accommodation is available on condition that definite duties as regards the supervision of pupils out of school or college hours are assigned to each of them. This concession will be generally confined to mistresses working away from their home towns.</p> <p>Note:-By "free-living accommodation" it is not intended to rent accommodation but merely to give permission to teachers being provided with a room whenever and wherever accommodation is available in Government girls schools and colleges in the State. Ladies should be provided with accommodation in Hostels where it is not possible for them to find out suitable accommodation. No member of the staff whose presence on the premises of the Institution or Hostels attached to it is not in the interest of the Institution or Hostel will be allowed rent-free accommodation.</p>
7	Health	<p>(1) The following classes of Government employees holding resident appointment:</p> <p>(i) All Medical Officers, in hospitals and dispensaries (including those maintained by local bodies where Government doctors are employed against sanctioned posts), Jails, Reformatory Settlements, Rural/ Primary Health Units/ Centres and Mental Hospital, Amritsar.</p>	House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
		<p>(ii) All the Pharmacists (Dispensers) attached to Hospitals/ Dispensaries/ Primary Health Centres/ Primary Health Units/ Rural Health Centres/ School Health Clinics/Anti-Hook Worm Scheme/ T.B. Clinincs/T.B. Centres, Sanatorium or Pharmacists appointed in any other Scheme under the Punjab Health Department, dispensary servants and Group 'D' employees employed in Hospitals and Dispensaries whether Government or Local Fund and</p> <p>(iii) Clerical establishment of the Punjab Mental Hospital and Chemical Examiners Department.</p> <p>(2) Staff of the Punjab Mental Hospital required to reside in Government quarters on the hospital premises in the interest of Government work.</p> <p>(3) Resident Medical Officer for the Midwifery Department of the S.G.T.B. Hospital, Amritsar.</p> <p>(4) Resident Surgical/ Medical Officer, S.G.T.B. Hospital, Amritsar</p>	<p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p>

APPENDIX 7

1	2	3	4
		<p>(5) Assistant Blood Transfusion Officer, Government Medical College, Amritsar</p> <p>(6) Assistant Radiologist, S.G.T.B. Hospital, Amritsar.</p> <p>(7) Nurse Dais attached to State Hospitals and Dispensaries.</p> <p>(ii) Midwives, dais, peons and Group 'D' Government employees attached to various Primary Health Units/ Primary Health Centres/ Rural Health Centres and Maternity and Child Welfare Centres.</p> <p>(8) Lady Health Visitors working in the Health Centres in the State.</p> <p>Nursing staff (Nursing Superintendents, Matrons, Sisters, Tutors, Nursing Sisters and Staff Nurses).</p> <p>(9) Superintendents of Hostel of the Government Medical Colleges and Dental Colleges in the State.</p>	<p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p> <p>House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.</p>
	<p>Note.-(1) The following categories of Government employees of the Department of Health Services and Family Welfare, and the Department of Medical Research and Education are also entitled to rent-free accommodation, namely: –</p> <p>(i) Medical Laboratory Technician Grade-I;</p> <p>(ii) Medical Laboratory Technician Grade-II;</p>		

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
		(iii) Senior Medical Laboratory Technician; (iv) Radiographer; (v) Senior Radiographer; (vi) Senior Operation Theatre Assistant; and (vii) Operation Theatre Assistant. (2) The aforesaid decision came into force on and with effect from the 21 st day of December, 2011.	
8.	Agriculture	(1) Agricultural Sub-Inspectors employed on Farms and Research Sections only, irrespective of pay. (2) Beldars and tenants employed on Agricultural Farms.	House rent allowance in lieu of rent-free accommodation shall be admissible under sub-rule (4) of Rule 5 of Part I of this Volume.
9.	Animal Husbandry	(i) Veterinary College – (1) Principal (2) Warden of the Hostel (3) Hostel Superintendent (4) Hospital Surgeon (5) Compounder (ii) (1) Veterinary Officers or Veterinary Inspectors. (2) Veterinary Compounders and (3) Group ‘D’ Government employees (Dressers, Water-carriers (Bhishti), Sweepers and Chowkidars) working in the State-run Civil Veterinary Hospitals/ Dispensaries.	When no rent-free accommodation is provided, a house rent allowance in lieu thereof shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume.

APPENDIX 7

1	2	3	4
		(iii) Government Poultry Farms/Centres– 1. Managers 2. Animal Husbandry Assistants 3. Assistant Managers 4. Poultry Inspectors/ Farm Assistants. 5. Poultry Stock Assistants/Supervisors 6. Poultry Store Keepers (Technical) 7. Group 'D' Government employees (Beldars, Bird Attendants etc.)	The officials will, however, not be provided accommodation above their official status.
10	Industrial Training Department	Principal, Government Institute of Textile Chemistry and Knitting Technology, Ludhiana. 2. Mechanical Engineer, Government Institute of Textile Chemistry and Knitting Technology, Ludhiana. 3. Hostel Superintendents-cum-Physical Training Instructors working in Industrial Schools and other institutions. 4. Pharmacists working in Industrial/Training Institutes/Centres. 5. Dressers working in Industrial Training Institutes/Centres.	If the rent-free quarters do not exist, house rent allowance in lieu thereof shall be admissible under sub-rule (4) of Rule 5 of Part-I of this Volume. Ditto Ditto Ditto Ditto

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
11.	Stationery and Printing	(1) Controller of Printing and Stationery, Punjab. (2) Deputy Controller of Printing and Stationery, Punjab.	
12.	Public Works Department— (i) Irrigation Branch	(1) Signallers including Relieving and Apprentice Signallers. (2) Dispensers (3) Nurse working in Canal Colony Dispensary, Ferozepur (4) Regulation Jamadars, Grade I and Grade II	Government quarters will only be occupied by Relieving and Apprentice Signallers if available and cannot be claimed as of right.
	(ii) Omitted.		
13.	Omitted.		

Note 1:— Every Government employee of Jail for whom residential quarters are provided shall reside therein.

Note 2:—Every Government employee for whom no residential quarters are available at any jail shall (except in the case of Medical subordinates holding dual appointments) reside within such distance of the Jail as the Superintendent may, from time to time, in his discretion, fix in that behalf.

Note 3:— Clerks employed at Jails (other than those employed on the accounts side) who are required by their Superintendents in the interest of public service to reside in the quarters provided by Government in the Jail premises, are exempt from payment of rent.

Note 4:—An Accounts Clerk appointed to officiate as Accountant in short vacancies not exceeding four months shall draw compensatory allowance, equal to the difference between his pay as Accountant and his pay plus house rent allowance as Accounts Clerk, the allowance being reduced by any amount by which his pay may be increased and ceasing as soon as his pay is increased by an amount equal to his compensatory allowance.

APPENDIX 8

(Referred to in Note 5 to Rule 5.57)

Rules regulating the acceptance of fees by Government Medical Officers from private persons or bodies or public bodies for services other than professional attendance.

1. For the purposes of these rules:—

(a) a “Medical Officer of Government” means—

(i) a Professor employed in the Medical College, or a Civil Surgeon holding charge of a district; or

(ii) “Civil Surgeon or Principal Medical Officer, Senior Medical Officer or Medical Officer, or Assistant Medical Officer of a Hospital or Dispensary, maintained by Government, or a local body, or employed in any other capacity in an Institution under the control of the Punjab Government.”

(iii) an officer holding a special post declared as such by the Punjab Government

(b) a “private person” means a person, other than a Government employee entitled to free service;

(c) a “private body” means an Institution having no concern with Government or any public body;

(d) a “public body” means an Institution financed by public funds such as a Municipality, Zila Parishad, or a like institution;

(e) “Duty” means official work done by an officer in connection with Government.

2. The fees fixed in these rules do not apply to work done in the ordinary course of duty and the acceptance of fees will be subject to the following conditions:—

(a) No work, or class of work involving the acceptance of fees may be undertaken on behalf of a private person, or body or public body, except with the knowledge and sanction, whether general or special, of the Government.

(b) In cases where the fee received by a medical officer is divisible between himself and Government, the total amount should first be paid into the Government treasury, the share of the medical officer being thereafter drawn on a refund bill. In such cases, a complete record of the work done, and of the fees received should be kept by the medical officer, who should also give a receipt to the person or persons from whom fees are charged.

Note:— The above procedure will not apply to a fee for examination by a Medical Board for commutation of pension, three-fourths of which will be paid to the Medical Board in cash by the examinees.

(c) For Private, bacteriological, pathological and analytical work carried out in Government laboratories and the Chemical Examiner's Department, 50 per cent of the fees shall be credited to Government, the remaining (50%) being allowed to the officer of the Laboratory, or the Chemical Examiner, as the case may be, who may divide it with his assistants in such manner as he considers equitable. No payment will, however, be made to officers from the sale-proceeds of those vaccines, which are used on a large scale for prophylactic purposes, for example, T.B., Cholera, influenza and plague vaccine. The sale-proceeds from other vaccines will be divided between Government and the Bacteriologist in the ratio of 50 : 50 per cent.

(d) The rates shown in the rules are maximum which a medical officer will be free to reduce or remit if he is entitled to appropriate them to himself. In cases where the fee is divisible between the Medical Officer and Government, the former may charge lower rates, in special cases, where he considers it necessary, either owing to the pecuniary circumstances of the patient, or for some other reason of public interest, and the share of Government will be calculated on the basis of the fee actually realised instead of the scheduled fee, provided that the approval of Government is obtained by a general or special order in this behalf.

3. Services for which fees will be charged under these rules include the under mentioned : –

- (1) Post-mortem and medico-legal examination performed not in the ordinary course of duty.
- (2) Evidence in a court of law.
- (3) Medical examination for postal insurance.
- (4) Medical examination for commutation of pension.
- (5) Medical examination of candidates for Government service.
- (6) Service as Examiners in a University, or State Medical Faculty, or as a lecturer in institution.
- (7) Private bacteriological examination.
- (8) Private tests and analyses conducted in the Chemical Examiner's Department and in Public Analyst Laboratory in the Punjab.
- (9) Medical opinion in arbitration cases under the Workmen's Compensation Act.

APPENDIX 8

4. Post-mortem and medico-legal examination:—(a) No fee is leviable by Government Medical Officers, whether employed by Government or local bodies, for medico-legal work, including all post-mortems and medico-legal examinations, performed on behalf of Government, and which fall within the scope of their regular duties.

(b) If a medical officer conducts post-mortem, or other medico-legal examination, not in the ordinary course of his duties (such as examination done for cases from other States) he will according to his rank be entitled to charge the following fee from the party concerned : —

Class of Officers	Post-mortem Rs.	Other medico-legal Examination Rs.
(1) Civil Surgeon	16	10
(2) Principal Medical Officer or Senior Medical Officer	16	10
(3) Medical officer	10	4
(4) Assistant Medical Officer	...	2

(c) If a Medical Officer examines a private medical-legal (non-cognisable) case, other than a post-mortem, in his capacity as a private medical practitioner, he will, according to his rank, be entitled to charge the following fee from the party concerned :—

(1) Civil Surgeon	...	Rs.10
(2) Principal Medical Officer, or Senior Medical Officer	...	Rs.10
(3) Medical officer	...	Rs. 4
(4) Assistant Medical Officer	...	Rs. 2

(d) Government Medical Officers, who are not in receipt of an allowance for doing railway work, are entitled to receive, from the Northern Railway, a fee of Rs. 4 for the examination of injured railway passengers. This examination will be conducted at the request of a railway authority, other than the railway police.

5. Evidence in court of law:—(a) If a Medical Officer is required to give evidence on the result of any examinations, falling under rule 4(b) and (c) above, he shall not be entitled to any further remuneration except the usual expenses admissible to a witness for travelling and diet.

(b) If a Medical Officer is summoned to give expert evidence in a Court of law, at the instance of private person or party, his attendance at court shall be regulated as follows:—

- (i) The officer may accept the fee within the limit prescribed in Annexure 'C' below with the sanction of the court concerned. If however, in any individual case it is considered necessary by the court that a fee in excess of the prescribed limit should be allowed, this may be accepted with the specific sanction of Government in each case, which should be obtained through the Head of the Department in which the officer is serving.
- (ii) For the loss of the officer's time, in the event of his attendance at the court, interfering with the performance of his official duties, the appointment of the fees realised from private persons, or parties, between the Government and the Medical Officer will be in the ratio of 50: 50.

The share due to the Government should be paid into the treasury as far as possible by the body or the person paying the fee and credited as miscellaneous receipt under the head "0210—Medical and Public Health—80—General—800—Other Receipts—02—Examination and License Fees." and the rest should be collected by the officer himself.

- (iii) The officer's travelling and subsistence allowances shall be paid by the private person or party at whose instance he may be summoned.

Note:—(1) An officer summoned, whether for prosecution or defence evidence in cases covered by rule I of Chapter 9-A of the High Court Rules and Orders, Volume III, will not be considered to have been summoned by or at the instance of a private person or party.

(2) The fees prescribed for medical men of different classes summoned as expert witnesses are contained in Annexure 'C'.

6. Medical Examination for Postal Insurances:—The following fees are prescribed for the medical examination of Government employees for the purposes of insurance with a post office: —

- (1) Civil Surgeon or Principal Medical Officer or Senior Medical Officer or such other Medical Officer as may be authorised for the purpose or Medical Officer attached to Indian Mission abroad, for cases of insurance above Rs. 2, 000.....Rs. 4.00.
- (2) Medical graduate in Government or Municipal employee nearest to the place of duty of Government employee, for cases of insurance above Rs. 1,000 but up to Rs. 2,000.....Rs. 3.00.
- (3) Medical Licentiate in Government or Municipal employ nearest to the place of duty of Government employee, for cases of insurance up to Rs. 1,000.....Rs. 2.00.

APPENDIX 8

7. Medical examination for commutation of pension:—A Civil Surgeon or Principal Medical Officer is entitled to a fee of Rs. 16 from an applicant for commutation of pension to be examined by him in accordance with the rules for the commutation of pensions. If, however, the Civil Surgeon or Principal Medical Officer or any other Medical Officer of Government, acts as a member of the Medical Board or the Standing Invaliding Committee, such member will receive a share of Rs. 4 from the fee of Rs. 16 paid by an applicant for his medical examination for commutation pension.

8. Medical examination of candidates for Government Service:—A Medical Officer of Government is, when required to act as a member of the State Medical Board, entitled to a share of Rs. 4 per candidate for examining candidates for appointment to All-India posts and special posts.

9. Service as examiner in a University or of Medical Faculty or a lecturer in an institution:—Medical Officers of Government may receive fees or honoraria for superintending, conducting examinations, setting of question-papers and the examination of answer-papers of the University examination and examinations held under the Punjab State. Medical Faculty, and also for delivering lectures in an institution, the scale of fees thus charged will be such as the University, or the Faculty, or the institution concerned may, from time to time, fix.

10. Private bacteriological and pathological examinations:—Medical Officers of Government are permitted to charge fees for all bacteriological and pathological examinations, undertaken for private persons and institutions, at Government laboratories, where the levy of such fees has been sanctioned. The rates are shown in Annexure A.

11. Private tests and analysis conducted in the Chemical Examiner's Department:—The Chemical Examiner to Government, Punjab, and his Assistants, are permitted to receive fees from other Governments, Municipalities, and private parties for chemical analysis and the like, as laid down in Annexure B to these rules.

11-A. The Public Analyst, Punjab, is permitted to receive fees for analysis of samples of drugs of other Governments, Municipalities and private parties at the State Drugs Control Laboratory, as laid down against item No. 6 in Annexure B to these Rules, the fees so charged will be apportioned between Government and the Public Analyst, Punjab (including his staff) in the ratio of 50 : 50.

12. The scale of fees given above and in the Annexure to these rules, is subject to such revision as may be considered necessary, from time to time, by the competent authority.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

ANNEXURE -A

Scales of charges for private Bacteriological Pathological work done at Government Laboratories.

Serial No.	Nature of work	Rates of fee Rs.	
1.	Haemoglobin estimation	3-00	Rs.6.00 if these are done together
2.	Total red cell count	6-00	
3.	Packed cell volume	6-00	
4.	Size of R.B.C. (Halometer)	3-00	
5.	Frythrocyta Sedimentation rate	6-00	
6.	(a) Total white cell count	6-00	
	(b) Differential leucocyte count	6-00	
	(c) Total and different leucocyte count	6-00	
7.	Blood Smear for haemoparasites	6-00	
8.	Fragility of blood cells	6-00	
9.	Platelet count	6-00	
10.	Retioulocyte count	6-00	
11.	Sternal biopsy	6-00	
12.	(a) Paul Bunnel test	6-00	
	(b) Paul Bunnel test after absorption with C. P. Tissue	12-00	
13.	Bleeding time	6-00	
14.	Coagulation time	6-00	
15.	Wasserman reaction or any other Serological test for syphilis such as Kain, Meinioke, V.D.R.I. Test, etc.(Blood or Cerebrospinal fluid)	18-00 each	
16.	Determination of Rh. factor	18-00	

APPENDIX 8

Serial No.	Nature of work	Rates of fee Rs.
17.	Agglutination reaction (to any combination of organisms, i.e. salm, typhi, salm-pare Thyphi, Brucella, Proteus, etc.	12-00
18.	Widal reaction (to a single Organism)	6-00
19.	Blood grouping	18-00
20.	Cold Agglutination	6-00
21.	Coomb's test	12-00
22.	Examination for abnormal haemoglobin Bacteriological and other examinations	18-00
23.	Blood Culutre—Negative	18-00
24.	Blood Culture—Positive and Identification or organisms	30-00
25.	(a) Smear examination for micro-organism	6-00
	(b) Culture examination for micro-organism	12-00
26.	Culture examination of swabs for C Diphtheriae	12-00 Smear examination of aids for C Diphtheriae Rs. 5-00.
27.	Sterility test (Bacteriological)	12-00
28.	Examination of Nasal swears for Leora bacilli	6-00
29.	(a) Smear examination for acid test bacillin by ordinary or concent method	6-00
	(b) Culutre of tubercle bacilli	18-00
30.	Examination of Urine:	
	(a) Clinical Qualitative [i.e. (1) Chemical and (2) physical]	3-00
	(b) Microscopic	6-00

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Serial No.	Nature of work	Rates of fee Rs.
	(c) Clinical quantitative (i.e. estimation of sugar, albumen, urea, acetone, indicant etc.)	3-00
	(d) Bacteriological examination (Culutre With)	12-00
	(e) Bacteriological examination (Culture with a, b and c)	18-00
	(f) Hippuric acid (qualitative)	18-00
	(g) Mercury and evidence of other Metals	6-00 each metal
31.	Examination of Faces:	
	(a) Microscopic	6-00
	(b) Bacteriological (Culture)	12-00
	(c) Both (a) and (b) combined	12-00
32.	Bacteriological examination of water each sample	18-00
33.	Bacteriological examination of disinfectants (Ridal walker test)	54-00
34.	For curding blood with B acidophillis bilgaricus	6-00
35.	For supplying one tube of sub culture of B Acidophills bulgaricus	2-00
36.	Examination of Cerebrospinal fluid pleural fluid vomit and other pathological fluids	6-00
	(a) Microscopic	6-00
	(b) Bacteriological culture	12-00
37.	(a) Drug Sensitivity test against one organism (by disc method)	12-00 (one to four drugs)
	(b) Drug Sensitivity test	18-00 (above four drugs)
38.	Inoculations small animals (Guinae pits, rabbits) for diagnostic purposes (Tuberculosis etc.)	18-00

APPENDIX 8

Serial No.	Nature of work	Rates of fee Rs.
39.	Preparation of special autogenous vaccine:	
	(a) By use of ordinary media	18-00
	(b) Where special complicated work is necessary involving animal experiment	39-00
	(c) for each dose of vaccine supplied	2-00
40.	Pus, sputum and scrapings for fungus :	
	(a) Smear examination	6-00
	(b) Culutre	12-00
41.	Scrapings from ulcers, sores, blood and bone marrow material, etc. for L.D. bodies other haemofegallates and parasite :	
	(a) Culutre	12-00
	(b) Smear examination	6-00
III Miscellaneous Examinations		
42.	Friendman test or any other biological test for pregnancy	18-00 each
43.	Semen examination:	
	(a) Microscopic	6-00
	(b) Count of Spermatozoa	6-00
	(c) Both methods combined	10-00
44.	Examination for spirochaetes (Trepellidum etc) :	
	(a) Straining	6-00
	(b) Dark ground illumination	6-00
	(c) Both methods combined	10-00
45.	Vaginal Smear for spermatozoa	6-00
46.	(a) Mantoux test Casoni's test or feri's test (if done with one dilution)	12-00
	(b) Mantoux test if done with more than one dilution	18-00

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Serial No.	Nature of work	Rates of fee Rs.
47.	Histopathological examination of morbid tissue	18-00
48.	Bone marrow smear and fluids for melignant, cells	18-00
	By staining only	6-00
	By making paraffin block	18-00
Biochemist Examinations Blood		
49.	Sugar (One estimation)	12-00
50.	Creatining	18-00
51.	Creatine	18-00
52.	Uric Acid	18-00
53.	Chlorides	12-00
54.	Urea	12-00
55.	Parathrombin time	12.00
56.	(a) Cango red dye test (Qualitative)	12.00
	(b) Bleeding time	6.00
57.	Coagulation time	6.00
58.	Amylase	12.00
59.	Vanden Berag Reaction qualitative	6.00
60.	Quantitative(Bilirubin)	12.00
61.	Cephalin Cholesterol Flocculation test	12.00
62.	Thymol Cholesterol Flocculation test	12.00
63.	Total cholesterol	18.00
64.	Total and ester Cholesterol	30.00
65.	Inorganic phosphate	18.00
66.	Alkaline phosphatase	18.00

APPENDIX 8

Serial No.	Nature of work	Rates of fee Rs.
67.	Acip phosphate	18.00
68.	Sodium	18.00
69.	Potassium	18.00
70 .	(i) Calcium	18.00
	(ii) Calssium balance	30.00
71.	Total proteins	12.00
72.	Albumin	12.00
73.	Total and differential proteins, This includes globulin	24.00
74.	Non-protein nitrogen	12.00
75.	Formolgel test for Kala Azar	6.00
76.	Antimony test for Kala Azar	6.00
77.	Globulin test for Kala Azar	30.00
Urine Examination		
78.	Kateosteroids	30.00
79.	Calcium quantitative	18.00
80.	Chlorides quantitative	12.00
81.	Urea quantitative	3.00
82.	Urinary diastase quantitative	12.00
83.	Ammonia	12.00
84.	Aminoacids	12.00
85.	Uric Acid	18.00
86.	Bence Jones Proteins (Qualitative)	3.00
87.	Spectyrosopic tests for haemoglobin etc. Qualitative	3.00
88.	Porphyrim qualitative	6.00
89.	Phosphate C.S.F.	12.00

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Serial No.	Nature of work	Rates of fee Rs.
90.	Total proteins quantitative	12.00
91.	Chlorides-quantitative	12.00
92.	Sugar quantitative	12.00
93.	Globulin quantitative	12.00
		6.00
		If all these tests are done together the fee is Rs.20
94.	Lange's colloidal gold test Pathological fluids (Pleural fluid, vomit, as citric fluid, etc.)	18.00
95.	Chemical (Proteins) Gastric Analysis	6.00
96.	Gastric Analysis (7 samples)	39.00
	test for total and free activity(quantitative)	12.00
	and for bile blood mucus and starch (quantitative)	12.00
Stools		
97.	Total fats	18.00
98.	Split and unsplitting fats	24.00
99.	Occult blood (qualitative)	3.00
100.	Stereoblin (qualitative)	3.00
101.	Trypsin estimation	18.00
Stones		
102.	Urinary Stones	12.00
103.	Gall stones	12.00
104.	Calculi (other)	24.00
Miscellaneous		
106.	Sugar Tolerance test (5 specimens of blood and urine)	37.00
107.	Blood alkali reserve	18.00
108.	Sulphate , thiocyanats, iron lecithin lipase vitamins, drugs, etc.	12.00

APPENDIX 8

Serial No.	Nature of work	Rates of fee Rs.
109.	Renal dye test	12.00
110.	Sex hormones	36.00
111.	Semen citric acid, fructose and other quantitative examinations	12.00
112.	Sulkowitch test for calcium (quantitative)	3.00
113.	Arsenic (hair and nails etc.)	6.00
114.	Urea concentration test	12.00
115.	Urea clearance test	18.00
116.	Thiamine Hydrochlorides	24.00
117.	Trysin	12.00
118.	Fractionation of plasma proteins by electrophoresis	18.00
119.	Recognition of substances in body fluids by chromatographic methods	18.00
120.	Vit. 12 estimation in blood or urine	37.00
Physiology Department		
121.	Estimates of Basal, Metabolic Rate	24.00
122.	Thrombo-plastin-Genstration test	24.00
123.	Prothrombin Consumption test	24.00
124.	Estimation of Factor V	12.00
125.	Estimation of Factor VII	12.00
126.	Permenery	12.00
127.	Pulmonary function (both ordinary and complimentary)	12.00
	(a) Ordinary	12.00
	(b) Complimentary	24.00
128.	Alkali reserve	24.00
129.	Reaction of degeneration	12.00

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Serial No.	Nature of work	Rates of fee (Rs.)
130.	Serum gluamic phruvic transminass	18.00
131.	Serum clutamic exaclacetic, transminese	18.00
132.	L. E. Cell	12.00
133.	Thrombin Generation test	12.00
134.	Estimation of Fibrinegen	12.00
135.	Protein Bound Iodine	18.00
136.	Lactic dehydrogenase	18.00
137.	Lipid Phosphates	12.00
138.	Serum Iron	12.00
139.	Serum Copper	12.00
140.	Blood pyruvic acid	18.00

Apportionment of fees

Government share	...	50 per cent
Medical Officer	...	50 per cent
Autovaccine	...	50 per cent 'Government share'
Tuberculin	...	100 per cent 'Government share'

Note 1:— The following laboratory Investigations of the inmates of the Institution named Nari Niketan, Amritsar by the Bacteriologist to Government, Punjab shall be carried out free of charges: —

1. V.D.R.L. Test	4 tests in week
2. Haemogram	2 tests in week
3. B.S.R.	2 tests in week
4. Urine	4 tests in week
5. Stools	2 tests in week
6. Chemical smears	2 slides a week

APPENDIX 8

ANNEXURE B

Scale of fees which the Chemical Examiner may receive from other Governments, Municipalities and private parties for analysis

S.No.	Nature of work	Rates of fees (Rs.)
1.	(a) Qualitative test for some specified constituent for which such test exists	10 to 20
	(b) For each additional constituent to be tested	5
2.	(a) Quantitative determination of some specified constituent for property in a qualitative test	15 to 30
	(b) Each additional quantitative determination on the same sample	5 to 30
3.	Examination of poisons – (a) for the first article (b) for each subsequent article	30 10
4.	Examination of stains for the presence of blood – (a) for the first article (b) for each subsequent article	25 5
5.	Examination of stains for the presence of semens – (a) for the first article (b) for each additional article	30 10
6.	For examination of drugs according to B.P. – (a) Qualitative test only (b) Complete qualitative and quantitative tests.	40 for the States and 50 for the Distillery 40
7.	(a) For the determination of saponification value, the acid value, the iodine value, the refractive index of the density of oil or fat	10
	(b) For each additional determination	5

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

S.No.	Nature of work	Rates of fees (Rs.)
8.	For the determination of the flash point an oil with Abel's close tests – (a) Up to 209 F (b) For higher temperatures	15 20
9.	Examination of water for boiler or other technical purposes	20 to 40
10.	Comparative tests of ink per sample	10
11.	Soils (Chemical analysis of)	40
12.	Manures (Chemical analysis of)	40
13.	Organic analysis of grains, etc.	40
14.	Medico-legal cases	32
15.	Malt liquors	20
16.	Potable water	20
17.	Mineral oils lubricating complete	30 to 40
18.	(a) Vegetable oils, complete (b) Vegetable oils with calorific value	30 100
19.	Paints, complete	30
20.	Dry colours and pigments	30
21.	Mineral ores, quantitative	50
22.	Tallow and other sizing material	30
23.	(a) Coal approximate analysis (b) Coal calorific value	30 10
24.	Oil-cakes complete with castor seeds	30
25.	(a) Oil-cakes, oil, albuminoid and sand (b) Oil-cakes for nitrogen only (c) Oil-cakes oil and albuminoids	30 30 30

APPENDIX 8

Serial No.	Nature of work	Rates of fee (Rs.)
26.	(a) Bone meals (manures)	30
	(b) Bone meals for nitrogen only	30
27.	(a) Manganese ore, commercial analysis	50
	(b) Manganese only	30
28.	Lime cements, chemical analysis	30
29.	Soap, complete	30
30.	Alloys per constituent	30
31.	Textiles, complete	30
32.	Sulphate of alumina and other chemicals	30
33.	Spirits and wines	20
34.	Raw Sugar	20
35.	Soils (Practical analysis of)	20
36.	Manures (Practical analysis of)	20
37.	Tan barks	20
38.	Tea	20

Apportionment of Fees

Government	40 per cent
Chemical Examiner and his Assistants	60 per cent

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

ANNEXURE C

Scale of fees prescribed for medical men of different classes, summoned as an expert witnesses

1	2	3
Class of Medical Officer	For giving evidence in a criminal case in a station where he resides	For giving evidence in a station other than the one in which he ordinarily resides
Civil Surgeon, Principal Medical Officer, Senior Medical Officer or Medical Officer of Equivalent standing	Rs. 16 to 50	Rs. 16 to 50 per diem plus traveling allowance at tour rates
Medical Officer	10 to 25	Rs. 10 to 25 per diem plus traveling allowance at tour rates
Assistant Medical Officer	4 to 10	Rs. 4 to 10 per diem plus traveling allowance at tour rates

APPENDIX 8-A

(Referred to in note 6 to rule 5.57)

Rules for payment of fees to expert witnesses summoned in Criminal Courts.

1. When any Court has to form an opinion upon a point of foreign law, or of science or art, or upon the identity of handwriting or finger impressions, a person who is called to give an opinion in view of his special skill in such foreign law, science or art, or in questions of identity of handwriting, or finger impression, is an expert witness and his evidence is expert evidence.

Explanation :—The question whether evidence is expert or not must be judged by the purpose for which the witness is called, and the nature of the facts to which the witness testified in examination-in-chief. Evidence is not to be classed as expert merely on the strength of cross-examination. If the witness is called primarily to testify to facts observed by him in his ordinary or in his professional capacity, his evidence is ordinary evidence, if, however, he is called primarily to give an opinion based on his special knowledge or skill, but not on any previous acquaintance with the facts of the particular case, which before the court, his evidence is expert evidence.

Examples .—(i) A doctor who is called on account of his special knowledge to give an opinion on the question whether a particular person is physically capable of doing an act, which is attributed to him, gives expert evidence. If he is called to describe injuries which he has himself seen, or to attest a certificate of injuries which he has supplied, his evidence is not expert evidence and it does not become expert evidence even if in the course of his examination he uses technical terms in describing the injuries or if he is asked to give an opinion regarding the effect of the injuries on the constitution of the injured person.

(ii) A goldsmith who was called on account of his technical knowledge to advise the court where a particular ornament was made would be giving expert evidence, if the opinion was one which could be given by a goldsmith, but it would not be expert knowledge if he was merely identifying an ornament made by himself.

(iii) A small arms expert called from a Government arsenal to state whether the marks on a bullet could be caused by the rifling of a particular kind of rifle or revolver, or whether a shot could travel a particular distance, gives expert evidence.

II. Subject to the provisions of rule III to V below, expert witnesses who happen to be Government employees are bound by the ordinary rules relating to payment of traveling allowance and subsistence allowance to Government employees called as witnesses. These rules are contained in Travelling Allowance Rules.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

III. In any case in which it is absolutely necessary to summon either the Chemical Examiner or his Assistant, to give evidence in court, the following fees shall be paid:—

For each appearance in court:—

In Headquarters	Outside Headquarters
Chemical Examiner, Rs. 16	Rs. 100 with 1st class railway fare and all travelling expenses.
Assistant Chemical Examiner Rs. 10	Rs. 100 with 1st class railway fare and all travelling expenses

In a case, in which the above fees are payable to the Chemical Examiner or his Assistant, by Government no payment shall be made. He will draw travelling allowance, at the usual rates admissible under the Travelling Allowance Rules. In other cases in which travelling allowance is admissible under the Travelling Allowance Rules and fees are payable by private persons, such fees should be credited to Government.

IV. The following scale of fees has been prescribed for medical men of different classes summoned as expert witnesses:—

Class of Medical Officer	For giving evidence in a criminal case in a station where he resides	For giving evidence in a station other than the one in which he ordinarily resides
1. Civil Surgeon, Principal Medical Officer, Senior Medical Officer or other Medical Officer of equivalent standing	Rs. 16 to Rs. 50	Rs. 16 to Rs. 50 plus travelling allowance at tour rates.
2. Medical Officer	Rs. 10 to Rs. 25	Rs. 10 to Rs.15 per diem plus travelling allowance at tour rates.
3. Assistant Medical Officer	Rs. 4 to Rs. 10	Rs. 4 to Rs. 10 plus travelling allowance at tour rates.
4. Private Medical Practitioner	Rs. 16 to Rs. 32	Rs. 16 to Rs. 100 per diem provided that the sanction of High Court is obtained to any fee over Rs. 32 per diem, plus actual travelling expenses.

(1) If a Government medical officer is summoned by the court at the instance of the Government he should be treated as being on duty, and he should be allowed to draw his travelling and daily allowance under the Punjab Travelling Allowance Rules,

APPENDIX 8-A

if the Court is situated away from his headquarters, if the Court is situated at his headquarters, he should not be paid anything.

(2) If such an officer is summoned by the Court at the instance of a private person or party, such attendance in the Court should be regarded as private practice of the nature of expert evidence, and should be regulated as follows:-

- (i) The officer may accept the fee within the limit prescribed above with the sanction of the Court concerned. If, however, in any individual case, it is considered necessary by the Court, that a fee, in excess of the prescribed limit, should be allowed this be accepted only with the specific sanction of Government in each case, which should be obtained through the Head of the Department in which the officer is serving.
- (ii) The apportionment of the fees realized from private persons or parties between Government and the medical officer will be in the ratio of 50:50 but for accounting purposes, it will, in the first instance be necessary that the full amount realized should be credited to Government, the share of the officer being thereafter drawn from the Treasury on a refund bill.
- (iii) The officer's travelling and subsistence allowance should be paid by the private person or party at whose instance he may have been summoned.

V. In the case of certain other particular experts special fees have been fixed as follows:-

---	For giving evidence in a criminal case in a station where he resides.	For giving evidence in a station other than the one in which he ordinarily resides.
1. Government Examiner of Questioned Documents	...	See Annexure 'A'
2. Officials of the Finger Print Bureau	No fees...	No fees
3. Non-Official hand-writing experts	Rs. 16 to Rs. 32	Rs. 16 to Rs. 100 per diem provided that the sanction of the High Court is obtained to any payment at rates exceeding Rs. 32 per diem ; plus actual travelling expenses.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

VI. In order that payments may be easily checked in audit a clear distinction should be drawn between amounts paid as subsistence allowance and amount paid as traveling allowance.

ANNEXURE 'A'
(Referred to in Rule V)

Rules regulating applications for and payment of the services of the Government Examiner of Questioned Documents.

1. Applications should be sent direct to the Government Examiner of Questioned Documents, Intelligence Bureau, Ministry of Home Affairs, Railway Board Building, Simla-3.

2. (i) Applications received direct from private individuals will not be entertained.

(ii) Applications received from Police Officers below the rank of Superintendent of Police will not be entertained.

3. Acceptable applications fall into two classes:—

A. Official applications from:—

(i) State Governments and Offices subordinate to them.

(ii) Presiding Officers of Criminal Courts (including Sessions Courts); High Court, Court Martial etc.,

B. Other applications. These include—

(i) (a) Cases from private parties in civil suits in Indian Courts:—

These will be accepted only on the requisition of the Court, in which the case is being heard. The party concerned must move the court and it will rest with the Court to take the further steps necessary to obtain the services of the Government Examiner of Questioned Documents.

Explanation: References made by a Court *suo moto* in civil cases in which the State is not a party will be deemed to be cases from private parties for the purpose of these rules.

(ii) Cases from Municipal Corporations, District Boards, Zila Parishad municipalities, and other local bodies and from Universities, from autonomous corporation and quasi-Government Bodies, e.g. D.V.C., D.T.S. etc.:

(a) Applications from recognised Universities will be received direct.

APPENDIX 8-A

(b) Application from municipal corporations will be received direct, but from other local bodies will be accepted only, if received through the local district magistrate who should satisfy himself, before forwarding the application, that it is desirable that the Government Examiner of Questioned Documents should be consulted.

(iii) Complaint cases, revenue cases, Tenancy Act cases and other miscellaneous Act cases from Indian Courts:

These cases will be accepted only if forwarded by Presiding Officers of courts:

4. Applications falling under classes A and B will ordinarily be accepted but may be refused at the discretion of the Government Examiner of Questioned Documents if they cannot be undertaken without detriment to his other work.

5. An inclusive fee will be charged in each case, in which an opinion is given and will normally cover the opinion, the cost of photographs and the giving of evidence, limited in class B cases to one day. The inclusive fee for class A cases (see rule 3) will be Rs. 220, and for class B cases Rs. 250. (This fee does not cover travelling allowance, which is governed by rule 15 below).

6. Subject to the exception stated at the end of this rule, the fee is payable in advance in all cases and each application should be accompanied by a certificate in the following form:

Certified that sum of rupees two hundred and twenty (Rs.220)/two hundred and fifty (Rs. 250) has been deposited in the _____ Treasury on _____, on account of the Government Examiner of Questioned Documents fee in case/suit No. _____ and that this amount has been shown under head XIX–Police Central Misc. Fees for the Service of Government Examiner of Questioned Documents, in the Cash Amount of Central subjects for the month of _____ and appears at item No. _____ in the relevant Receipt Schedule.

Signature of Treasury Officer

Countersigned

(Signatures of Officer submitting the case).

In special circumstances, which should be stated in the application, class A cases will be accepted without this certificate, but the certificate should be forwarded as soon as possible.

7. In cases where the cost of photographs is exceptionally heavy the fee will be Rs. 180 plus the actual cost of the photographs in class A cases and class B cases Rs. 200 plus the actual cost of photographs.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

In class B cases the authority submitting the cases will be informed of the extra cost involved before it is incurred, and will be required to certify that it has been deposited before the Government Examiner of Questioned Documents proceeds with the case.

8. xx xx xx xx

9. (i) In cases in which no opinion is given but photographs are taken, only the actual cost of photographs will be charged, subject to a minimum of Rs. 35.

(ii) In cases in which examination has been completed but no opinion could be expressed a consolidated fee of Rs.100 will be charged.

10. No reduction in the fee will be allowed if evidence is not required or is taken on commission.

11. (i) In class B cases an additional fee of Rs. 200 will be charged for each day, after the first day on which evidence is given, whether in court or on commission, or on which the officer is detained. The Presiding Officer or the Commission will be requested to certify, before the second and each subsequent day's work is begun, that the fee for that day and also for any intervening day or days of detention has been deposited, and subsequently to furnish a certificate in rule 6 above.

(ii) A fee of Rs. 250/- will be charged in a class B case even for the first day's evidence if evidence is taken upon an opinion expressed on the same documents when they formed part of a criminal case. Where one class 'A' case is split up in Court into several cases, a fee of Rs. 150/- (Rupees one hundred and fifty) will be charged for each split up case. Similarly, where one class 'B' case is split up in court into several cases, the fee will be Rs. 200/- (Rupees Two hundred only) for each split-up case.

12. In cases falling under class B the Government Examiner or his Assistant will be prepared to attend Courts, provided that he can do so without detriment to his other work. When evidence is taken on commission; the commission should be issued to the Senior Sub-Judge, Delhi, and normally should be so worded that either the Government Examiner or his Assistant can give evidence.

13. Presiding Officers of Courts are requested to detain the Government Examiner of Questioned Documents or his Assistant for the least possible time compatible with the requirements of the case. They are also requested to accept, so far as possible, the time and dates for attendance offered by these officers, because the latter frequently have to attend several Courts in the course of one tour.

14. The Government of India, in Ministry of Home Affairs, reserve the right to impose an extra charge in any case in which they consider that the usual fee is incommensurate with the time and labour spent on the case.

APPENDIX 8-A

15. When the Government Examiner of Questioned Documents or his Assistant is required to travel in order to give evidence or for any other purpose, the authority or party employing his services will be required to pay travelling allowance at the rates laid down for first grade or Officers in the Supplementary Rules of the Government of India for journeys on tour. Travelling allowance will also be payable for the peon accompanying the officer at the rates, fixed for Government of India peons. These payments will be adjusted as directed in the late Home Department letter No. F. 128/VII/27-Police, dated the 12th January, 1928 (see-Appendix).

In class B cases the Presiding Officer of the Court concerned will be required to certify that the cost of travelling allowance has been deposited before the Government Examiner of Questioned Documents or his Assistant undertakes the journey.

APPENDIX-9

(Referred to in Note 1 to Rule 5.64)

General Instructions for regulating the patenting of inventions made by Government employees whose duties involve the carrying out of Scientific or Technical Research

1. In these Instructions:—

- (1) “Committee” means the Patents Advisory Committee (see Annexure-B).
- (2) “Inventor” means any Government employee whose duties involve carrying out of Scientific or Technical Research.
- (3) “Department” means that Department of the State Government, in charge of any Research Organisation.
- (4) “Research Organisation” means any technical or scientific establishment under the State Government, where research work is carried out, and includes also an establishment where research work is carried out in addition to any other routine work.
- (5) “Secretary” means Secretary of the Patents Advisory Committee.
- (6) “Government”—unless otherwise specified, the word “Government” wherever it occurs in these instructions shall mean “State Government.”

2. An inventor should not, without the previous permission of the Government, employ a patent Agent or disclose the invention to any person, otherwise than as provided in clause 4, or publish or join any person not connected with the invention in his application for a patent, or file a complete specification, or make any application for a patent in any other country.

Until the Patents Advisory Committee makes a decision, under clause 19, the particulars about any invention disclosed by an inventor should be treated as confidential, and deemed to belong to, and held in trust for, Government.

3. Every inventor should, if so ordered, do everything necessary for obtaining a patent whether in Punjab (India), any other part of Indian Union, or any other country, under such conditions as may be prescribed by the Government.

4. Every inventor, who evolves an invention, should promptly disclose it to the Head of the Research Organisation, where he is working.

5. Where an inventor discloses his invention to the Head of his Research Organisation, with or without a request for permission to file an application for a patent, accompanied by a Provisional Specification, the Head of the Research Organisation should, through a secret communication, forward the information to the

APPENDIX 9

Department concerned together with his remarks on:–

- (i) The connection, if any, between the invention and the inventor's official duties;
- (ii) The extent to which the inventor has used the facilities provided at Government expense;
- (iii) Whether the results are of such a nature that they should be published instead of being patented;
- (iv) Patenting the invention in foreign countries;
- (v) The estimated needs of the Department concerned and the Government as a whole;
- (vi) The probable contribution to public welfare; and
- (vii) His recommendations, if any, as to further action deemed appropriate.

6. An inventor, paid out of the Defence Services Estimates of the Union Government, should not apply for or obtain a patent except as provided for in the special regulations prescribed by the Ministry of Defence for that purpose from time to time.

7. An inventor, other than an inventor paid out of the Defence Services Estimates, may file an application for a patent, accompanied by a Provisional Specification, after obtaining the permission of the Head of the Research Organisation, where he is working:

Provided that, in case the inventor is himself the Head of a Research Organisation, he may file such application without obtaining previous permission of the Government.

8. The Government hereby authorises the Head of every Research Organisation to grant, in his discretion, to any inventor working under him permission under Rule 5.64 of C.S.R. Vol. I, Part I, to file an application for a patent accompanied by a Provisional Specification:

Provided that, where the Head of a Research Organisation does not deem it fit to grant the permission, for instance, where the invention is likely to have utility for Defence purpose, or for the Department concerned, he should forward the papers to the Department concerned, together with his remarks.

9. Where an inventor desires to obtain permission in accordance with clause 7, his request to the Head of his Organisation should be made on the prescribed form, shown in annexure "A" which should be filed in quadruplicate.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

10. If the Head of a Research Organisation decides to grant the permission, he should sign all the four copies of the forms, return one copy to the inventor, retain one copy, and forward the remaining two copies, along with two copies of the Provisional Specification to the Department concerned.

11. If the request for permission is accompanied by a Complete Specification (which should be duplicate), the Head of the Research Organisation should, through a secret communication, forward the papers to the Department concerned, together with his remarks on point referred to under sub-paragraphs (i) to (vii) in clause 5.

12. Upon receipt of a communication of an invention from the Head of the Research Organisation, the Department concerned should examine the case. If they consider that the results proposed to be patented are of such a nature that they should be published instead of being patented, they will refuse the inventor's request for permission to take out a patent. The Department may take such steps as they consider expedient for publishing the invention, or for otherwise disposing of the invention. On receipt of intimation of such refusal, the inventor shall abandon his application for patent, if any, filed on the basis of a Provisional Specification. In all other cases the Department concerned should, within 15 days of their receipt of the communication from the Research Organisation, forward the papers to the Secretary with their recommendations. While forwarding the papers to the Secretary the following documents should be supplied through a secret communication:—

- (i) If the invention was disclosed unaccompanied by a request for permission to take out a patent, full particulars of the invention so disclosed;
- (ii) If an application has been made on the basis of a Provisional Specification, a copy each of the application and the Provisional Specification filed at the patent office; and
- (iii) If a request for permission has been made to take out a patent on the basis of a Complete Specification, a copy of the Complete Specification.

13. Upon receipt of the foregoing communication from the Department concerned, the Secretary will submit the information for the consideration of the Committee, who will consider whether the permission asked for under Rule 5.64 of C.S.R., Vol. I, part I, should be granted, with or without conditions.

14. If the Committee is satisfied that the invention has no connection whatever with the inventor's official duties, or does not fall within technical field of activity of the Department concerned, it will, if the inventor has applied for permission to take out a patent, grant him the permission, under rule 5.64 of C.S.R., Vol. I, Part I, without any restriction.

APPENDIX 9

15. If the committee considers that the invention has been made in the course of the inventor's official duties, or that the invention has resulted from facilities provided at Government expense, it will decide whether an application for a patent should be made to the Controller of Patents and Designs on the basis of a Complete Specification.

16. If the Committee decides that an application for a patent should be made on the basis of a Complete Specification, the Secretary will, if necessary, obtain from the inventor further particulars required for the drafting of the Complete Specification, and take the necessary steps to prepare and file the Complete Specification, within 9 months from the date of the Provisional Specification, if any. The application will be made in the name of the inventor, on the understanding that he will hold the patent in trust for the Government and will, in due course, assign his rights to the Government.

17. The Complete Specification and the drawings, if any, required for filing and prosecuting the applications for patents, will be prepared by the Research Organisation when facilities exist for such purposes and in other cases, by the Secretary, or by such agency as may be appointed by the Committee.

18. All fees up to the stage of acceptance, in respect of every application prosecuted by the Secretary, will be borne by the Committee.

19. On filing a Complete Specification the Committee will consider:-

- (i) whether the invention should be published for free use by the public; or
- (ii) whether a patent should be taken out for exploitation by Government; or
- (iii) whether the inventor should be allowed to take out a patent for his own benefit.

20. If the Department or the Committee decides that the invention should be published for free use by the public, it will refuse the inventor's request, if any, for permission under Rule 5.64 Civil Services Rules, Volume I, Part I, and the Secretary will not prosecute the application for patent beyond the stage of its acceptance. In all such cases the Committee, on the advice of the Department concerned, will determine ex-gratia payment, if any, and will advise the Department concerned accordingly.

21. If the Committee decides to take out a patent for exploitation, the Secretary will proceed with the application, and on obtaining a patent, take the necessary steps to get the inventor's rights under the patent assigned to the Government.

22. In all cases where the Committee decides to take out patents for exploitation, it will decide also the manner in which the patents should be exploited.

23. Inventions which the Committee considers are of no interest to the Government, either for Commercial exploitation, or publication for free use to the public, will be returned to the inventors, if they so desire, and they will be allowed to take out patents for their own benefit subject to—

- (i) the reservation of the right of the Government to the use of the invention either without payment or on such terms as the Government may consider reasonable; or
- (ii) the condition that the inventor will not assign or deal with or grant licences to any person without obtaining the prior permission of the Government.

ANNEXURE 'A'

Request for permission to file an application for a patent accompanied by a Provisional Specification direct to the Patent Officer.

(To be filed in quadruplicate)

I/We hereby request permission to file an application for an Indian patent accompanied by a Provisional Specification in respect of _____ (Here give title of invention). In consideration of grant of such permission I/We agree and declare as follows:—

2. I/We declare that this invention has/have not been evolved in the course of my/our official duties and as a result of the research and facilities provided at Government expense.

3. Four copies of the Provisional Specifications, which it is proposed to forward to the Controller of Patents and Designs, Calcutta (or an equivalent description of the invention), accompany this request. Immediately after dispatching the application I/We will submit two exact copies of the documents forwarded to the Controller of Patents and Designs.

4. I/We wish to apply for patent, in my/our name on the understanding that I/We of Punjab, will hold the patent when granted, in trust for Governor of the Punjab (here-in-after called Government) and will assign the same to the Government, whenever called up to do so.

5. I/We will, if so ordered, withdraw my/our application for a patent.

6. I/we will not file the complete Specification in respect of this invention without the prior permission of the Government, or in the manner as may be directed in the matter.

APPENDIX 9

7. I/We will not apply for a patent in any other country or any of the States of the Indian Union, in respect of this invention, without the prior permission of Government.

Inventor's signature _____

Designation _____

Dated _____

My/Our address for service in the Punjab is

Permission granted.

Signature of the Head of the Research Organisation _____

Designation _____

Dated _____

Received one copy.

Signature of the Inventor (or Inventors) _____

Dated _____

ANNEXURE 'B'

Members of Patents Advisory Committee

- (1) Secretary to Government, Punjab, Health Department--(President).
- (2) Director of Irrigation Research Institute, Amritsar--(Member).
- (3) Director of Industrial Research Laboratory--(Member).
- (4) Omitted.
- (5) Director, Health Services--(Member).
- (6) Secretary to Government, Punjab Finance Department--(Member).
- (7) Director of Industries, Punjab--(Member, Secretary).

APPENDIX 10

Omitted

APPENDIX 11

(Referred to in Note to rule 8.3, Note to rule 8.48 and Note to Rule 12.1)

(Instructions regarding Leave Procedure and Maintenance of Service Record)

CERTIFICATE OF ADMISSIBILITY

1. Before the leave is sanctioned to a Government employee, the authority sanctioning the leave should either consult the leave account and satisfy himself that the leave is admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in the leave account.

In the case of State Government employees transferred as a temporary measure under the Central Government, the authority competent to sanction the leave may get a certificate of admissibility of leave under the State Leave Rules where necessary from the lending office under the State Government concerned.

2. **Government employees in foreign service.**—In the case of a Government employee on foreign service, leave cannot be sanctioned until the Head of the Department or Head of the Office, under which he was permanently employed at the time of his transfer to foreign service has certified that the leave is admissible.

PAYMENT OF LEAVE SALARY

3. **Drawal of Leave Salary.**—The leave salary of a Government employee on leave in India or on leave out of India cannot be drawn except over the signature of the Head of his Office; and the latter is responsible for any over-charge.

4. **Leave salary during leave preparatory to retirement.**—In the case of a Government employee, who is on leave preparatory to retirement or terminal leave or such other leave on the expiry of which he is not expected to return to duty, the Head of Office should record a certificate on the leave salary bill that during the period for which leave salary is drawn, the employee was not re-employed under Government, local fund or a private employer. Before recording such certificate, the Head of Office, may obtain the requisite declaration regarding non-employment from the employee concerned.

LEAVE ACCOUNT

5. **Form of Leave Account.**—The leave account should be kept in prescribed Form Punjab C. S. R. No. 16 in respect of Government employees under the Revised Leave Rules. The office in which the account should be kept for any Government employee and the person by whom the entries should be attested shall be such, as are prescribed by the Government.

If the Forms of the leave account prescribed above are not suitable for the maintenance of leave account of any class of Government employees, the Form of

leave account, may in such a case, be prescribed by the Government after consultation with the Accountant-General concerned.

6. When a Government employee subject to the Revised Leave Rules is transferred permanently to another Government, the Head of the Office from which he is transferred should complete the leave account, showing the amount of “earned leave” at credit on the date of permanent transfer and send it to the Head of the Office to which the Government employee is transferred. A copy of leave account should also be sent at the same time to the Accountant-General of the office from which the Government employee is transferred so as to enable him to accept the debit on account of leave salary for “earned leave” up to the extent indicated in the leave account, as and when the Government employee takes leave.

Part II—Record of Service

1. Subject to such exemption as may be granted by the Comptroller and Auditor General of India, a record of service of a Government Employee, which is intended for the recording of all facts in his official career having bearing on pay, promotion, leave, pension, appointment and joining, grant of increment or withholding of increment, grant of selection grade, grant of benefit of an Assured Career Progression Scheme, fixation of pay, grant of leave, deputation, transfer, suspension or interruption in service along with details of the period thereof, reinstatement, resignation, termination of service along with its reasons, compulsory or voluntary retirement, removal or dismissal from service, reversion or reduction in rank or pay along with the precise reasons thereof, namely, whether reduction is on account of inefficiency or reduction in establishment or abolition of the post held by the employee, retirement on superannuation shall be maintained by the Head of Department or Head of Office, as the case may be.

2. The Head of Department or Head of Office as the case may be shall note in the record of service the orders sanctioning the transfer to foreign service of a Government employee along with the fact of such transfer in regard to leave admissible during the foreign service and such other particulars as he may consider necessary to be recorded. On his re-transfer from foreign service to Government service the Head of the Department or Head of Office as the case may be shall note in the record of service, the necessary particulars connected with the foreign service including the fact of recovery of leave and pension contributions.

Form A.T.C.2-A
Omitted.

APPENDIX 11

FORM A.T.C. 3

I. Bio-Data

1. Name in full (in block letters)
Shri/Shrimati/Kumari ...
2. Father's Name (in block letters) ...
3. Husband's Name (in block letters) ...
4. Nationality (if not a citizen of India, number
and date of Eligibility Certificate) ...
5. Whether a member of Scheduled Caste/Tribe ...
6. Date of birth by Christian Era and wherever
possible also in Saka Era (both in words and
figures) ...
7. Educational Qualification:
(a) At the time of first appointment ...
(b) Subsequently acquired
8. Professional and technical qualifications not
covered by 7 above
9. Exact height by measurement (without shoes) ...
10. Personal mark of identification ...
11. Permanent House Address ...
12. Signature or left hand thumb impression of
the Government employee (with date) ...
13. Signature and designation of Attesting Officer
(with date)


 Photograph

To be attested by the Head of Office before
posting

Photograph should be renewed after 10 years
of service of Government employee.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

II Certificate and Attestation			
Serial No.	Subject	Certificate	Signature and designation of the Certifying Officer
1	2	3	4
1.	Medical Examination	The employee was medically examined by _____ on _____ and found fit. The Medical Certificate has been kept in safe custody – <i>vide</i> Serial No. _____ of Volume II of the Services Book.	
2.	Character and antecedents	His/her character and antecedents have been verified and the verification report kept in the safe custody, – <i>vide</i> Serial No. _____ of Volume II of the Service Book.	
3.	Allegiance to the Constitution	He/She has taken the oath of allegiance/affirmation to the Constitution, – <i>vide</i> Serial No. _____ of Volume II of Service Book.	
4.	Oath of Secrecy	He/She has read the Indian Official Secrets Act, 1923 and Punjab Government Employees (Conduct) Rules, 1966 and has also taken the oath of secrecy, – <i>vide</i> Serial No. _____ of Volume II of Service Book.	
5.	Marital Status	He/She has furnished declaration regarding his/her not having contracted bigamous marriage. The relevant declaration has been filed at Serial No. _____ of Volume II of the Service Book.	
6.	Declaration of Home Town	He/She has furnished the declaration of home town which has been accepted and filed at Serial No. _____ of Volume II of the Service Book.	
7.	Verification of entries in Part I	The correctness of the entries against Serial Nos. 5–8 of Part I Bio-data has been verified from original certificates considered as valid documentary evidence for the respective purposes. Attested copies of these certificates have been filed at Serial No. _____ of Volume II of the Service Book.	

APPENDIX 11

1	2	3	4
8.	(a) General Provident Fund No.		
	(b) Nomination for G.P.F.	1. _____ 2. _____ 3. _____ He/She has filed nomination for General Provident Fund and the following related notices which have been forwarded to the Accounts Maintenance Authority on dates shown against them have been filed in Volume II of the Service Book.	
	*When General Provident Fund number allotted to an official changes, the changed number will be entered here, alongwith the authority for the change.		
	(c) (i) Permanent Retirement Account Number (PRAN), if applicable. (ii) Nominees under new Defined Contributory Pension Scheme.	_____ _____ _____ _____	
	(d) (i) G.I.S. Account No. (ii) Nomination for G.I.S.	_____ He/She has filed nomination for G.I.S. and the following related notices which have been filed in Volume II of the Service Book–vide Serial Nos. shown against them.	
9.	Family particulars	He/She has furnished details of the family members which have been filed at Serial No. ____ of Volume II of the Service Book.	

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

1	2	3	4
10.	Death-cum-retirement gratuity and family pension	He/She has filed nomination for Death-cum-retirement gratuity and family pension and the following related notices which have been filed in Volume II of the Service Book—vide Serial No. shown against them. 1. 2. 3.	

III. PREVIOUS QUALIFYING SERVICE AND FOREIGN SERVICE

(a) Previous Qualifying Service

Period		Post held	Purpose for which it qualifies	Signature and designation of the Certifying Officer
From	To			
1.	2.	3.	4.	5.

(b) Foreign Service

Period		Post held and name of foreign employer	Leave and pension contribution payable by	Amount of Leave and pension contribution actually received.
From	To			
1	2	3	4	5

APPENDIX 11

IV. HISTORY AND VERIFICATION OF SERVICE

Sr. No.	Period		Post, scale of pay and Office (with station)	Substantive	Officiating	Extent affecting columns 4-6 (Vide Instructions 10)	Signatures and Designation of attesting Officer (with date)	Signature and designation of verifying Officer (with date)	Signatures of the Government employee	Remarks
	From	To								
1	2	3	4	5	6	7	8	9	10	11

Instructions for maintenance of Service Book

Part I

1. Entries in this part will be made at the time of first appointment of the Government employee and attested by the head of office or any other officer duly authorised in this behalf. Additions and alterations in this part will also be similarly attested.

2. Signature or left hand thumb impression of the Government employee concerned will be obtained in the presence of the head of office or authorised officer.

Part II

3. The first seven certificates will be recorded at the time of initial appointment of the Government employee and the remaining three, at the appropriate stages. In particular before certifying item 4 regarding the oath of secrecy, the head of office will ensure that a copy of each of the Indian Official Secrets Act, 1923 and Punjab Government Employees (Conduct) Rules, 1966 are made available to Government employee concerned for formally noting their contents.

4. The blank space in this part may be utilised for recording other certificate like those concerning exercise of options in service matters and passing of departmental and language tests if and when necessary.

5. The declarations, nominations and related notices, like changes in nomination for General Provident Fund, Death-cum-Retirement Gratuity and family pension testimonials and other documents referred to or relied upon in this part will be placed in a folder titled "Volume II of service book of _____" To be kept by the head of office in safe custody.

Part-III-A

6. This part will be posted only where no service book is available in respect of the past service which has to be admitted on the basis, say, of collateral evidence.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

6-A. Entries made in this column should be attested by the head of office or any other Officer duly authorised in this behalf.

6-B. The purpose for which the service has been accepted as 'qualifying' should be specified e. g. leave, pay, pension etc.

PART-III-B

7. Columns 1, 3 and 4 will be posted after receipt of an intimation from the foreign employer about the Government employee having reported to him for duty.

8. Column 2 will be filled after the reversion of the Government employee from foreign service.

9. Entry in column 4 will be brief, i.e., 'foreign employer' or 'Government employee' as may be appropriate.

Part-IV

10. Entries in this part will be made at the time of initial appointment and thereafter on the occurrence of events involving a change in the post, office, station, scale of pay or nature of appointment. Such events will include appointment, promotion, reversion, deputation, transfer (including transfer on foreign service), increment, leave and suspension.

11. Entries regarding confirmation, quasi-permanency and suspension and other forms of interruption in service, will be made in red ink.

12. Column 3 in respect of a particular entry will be posted at the time of making the next entry.

13. Column 4 in respect of second and subsequent entries need be filled only if there is a change in the post, scale of pay, office or station.

14. Columns 5 and 6 will show different components of pay separately, thus "[(240+50) (S.P.) + (80 P.P.)]".

15. Column 7 concerning an entry will be posted at the time of making the next entry. In the case of leave, this column will also indicate nature of leave.

16. Before putting his signatures in column 8 the attesting officer will ensure that there is no un-explained gap between the date shown in column 2 of the entry he is attesting and column 3 of the preceding entry.

17. At the beginning of the year or at the time of transfer of service documents to another office/A.G. if this event occurs earlier, entries in columns 2-7 will be verified with reference to relevant records in terms of rules of 12.3 Punjab C.S.R., Vol. I, Part I. While putting his signatures in Column 9, the verifying officer will indicate

APPENDIX 11

the Serial No. of the entries he has verified and the records from which verified. He will also ensure that there is no gap between the Serial No. of the first entries he has verified by him in the instant case and that of the last entry certified as having been verified on the last occasion.

18. If for unavoidable reasons, it is not possible to show the Service Book to the Government employee and to obtain his signatures in Column 10, an abstract in the prescribed form will be communicated to him for acknowledgement and return on receipt back, such acknowledgement will be kept in Volume II of the Service Book.

19. Events like stoppage of increments, enforcement of efficiency bar which do not affect the entries in Columns 1–5 will be briefly noted in Column 11.

Appendix

Abstract of service rendered by _____
 (Name)
 _____ during the year 20_____.
 (Designation and Office)

Period of qualifying as service for purposes of pension/death-cum-retirement gratuity			Period, if any, not qualifying as service and reasons thereof			
From (Date)	To (Date)	Period	From (Date)	To (Date)	Period	Reasons
1	2	3	4	5	6	7

Signature of Head of Office.

I hereby acknowledge the receipt of the abstract of service rendered by me and accept it, as correct.
 during _____ do not accept it for reason indicated below.

Signature of Government employee.

APPENDIX

(For use in Police and other similar Departments)

(RECORD OF POSTINGS)

District and Post _____ No. and date of the District Order _____ Remarks _____
 Date _____
 From _____ to _____

APPENDIX 12
(Referred to in rule 8.23)

Authorities empowered to grant leave other than leave on medical certificates under rule 8.18, special disability leave, study leave and extraordinary leave exceeding three months under rule 8.137 subject to the conditions prescribed in Rule 8.23 of Volume I, Part I.

Serial. No.	Authority which can grant leave	To whom	Extent
1.	Heads of Departments	All Group 'A' and Group 'B' Government employees except Additional or Joint Heads of Department working under the Head of Department.	Full powers
2.	Heads of Offices	All Group 'C' and Group 'D' employees working under the Heads of Offices.	Full powers
3.	Director, Technical Education	(1) Principals, Heads of Departments, Lecturers and Superintendents of workshop of the Punjab Government Polytechnics. (2) Principals and all other Group 'A' and Group 'B' staff employed in Junior Technical Schools of the State.	Full powers Full powers

APPENDIX 13

Omitted

APPENDICES 14 & 15

Omitted

APPENDIX 16

(Referred to in note below Rule 8.57)

Model terms for the grant of leave to Government employees engaged on contract**Part I**

1. Where the contract is for a period not exceeding five years, the leave Rules contained in Chapter VIII to Volume I of these rules, shall apply to the Government employee as to a Government employee not in permanent or quasi-permanent employee; provided—

- (a) that no half pay leave shall be admissible to such a Government employee otherwise than on medical certificate;
- (b) that no extraordinary leave shall be admissible to such Government employee if the contract is for one year or less, and if the contract is for more than one year but not more than five years, the total amount of extraordinary leave admissible during the entire period of the contract shall be limited to three months;
- (c) that if the contract is for a year or less, no leave shall be granted beyond the date of expiry of the contract even if the Government employee has been denied in whole or in part on account of the exigencies of the public service, leave which was due to him during the period of the contract.

2. Where the contract is for a longer term than five years or an original contract for five years or less is extended so as to make the total period of contract longer than five years, the leave Rules contained in section III Chapter VIII to Volume I of these rules, shall apply to the Government employee as to Government employee in permanent employ:

Provided that no half pay leave shall be admissible to such a Government employee otherwise than on medical certificate and in the matter of extraordinary leave the said rules shall apply to such a Government employee as to a Government employee not in permanent or quasi-permanent employ.

Note: In the case of extension of a contract for a period longer than five years, the Government employee will be credited with the earned leave that would have been admissible had the contract been initially one of more than five years diminished by any earned leave already taken.

3. Where the contract is for an indefinite period or an original contract for a definite period is extended for an indefinite period, the leave Rules contained in Chapter VIII to Volume I of these rules, shall apply to the Government employee as to a Government employee in permanent employ.

APPENDIX 16

Note.—In the case of extension of a contract for an indefinite period, the Government employee will be credited with earned leave that would have been admissible had the contract been initially one for an indefinite period diminished by any earned leave already taken.

4. For purposes of leave salary, the provision of rule 8.122 of Part I of these rules shall apply *mutatis mutandis* in the case of Government employees governed by the rules in this part.

5. A Government employee initially engaged on contract on his being taken into permanent employ will be credited with earned leave that would have been admissible had his previous service been rendered as a Government employee in permanent employ diminished by any earned leave already taken.

Note: A Government employee initially engaged on contract on being appointed to a temporary non-contract Post, without any break in his service, will be allowed to carry forward entire leave (including half pay leave) at his credit on the date of his appointment to the new post.

6. Omitted.

7. Unless it is indicated in the contract to which class of service the Government employee belongs, the Finance Department shall determine such classification for the purpose of the Revised Leave Rules.

Note: Omitted.

Part II—Omitted

APPENDIX 17
(Referred to in Rule 8.61)

Rules for the grant of Casual and Quarantine Leave

I. Casual Leave

1. Casual leave may be granted to Government employees for short periods by the authorities specified in Appendix 12 or by any officer under them to whom the powers are delegated by the said authorities subject to the conditions therein stated, as follows:—

(1) **Scale**—Casual leave will be admissible as follows:—

- | | |
|---|-------------|
| (i) To employees with 10 years' service or less | ...10 days |
| (ii) To employees with more than 10 years service
but less than 20 years service | ...15 days |
| (iii) To employees with over 20 years service | ...20 days |
| (iv) To all female Government employees
irrespective of their length of service | ...20 days. |

(2) **How calculated.**—From the date on which an employee completes his 10th or 20th year of service, as the case may be, he will be given leave in that year according to the next higher scale. Thus if an employee completes 10 years service on the 30th April, 1963 he will be entitled to 15 days casual leave for the entire year 1963. Length of service will be assessed as in note below Rule 8.116 of Punjab C. S. R. Volume I, Part I.

(3) **Accounting of Casual Leave.**—The casual leave account will be maintained annually from the 1st of January to 31st of December. All casual leave accounts will be closed on the 31st December and new accounts opened on the 1st of January, following, irrespective of the fact that an official takes a spell of casual leave which includes the last few days of December, and the first few days of January. Thus if an official takes leave from the 26th December, 1959, to 5th January, 1960, the period 26th December to 31st December will be debited to his leave account for the year 1959 and the period 1st January to the 5th January, 1960 will be debited to his leave account for the year 1960.

(4) **Length of leave and Combination of leave.**—In taking casual leave, within the limits admissible above, an employee may remain continuously absent from duty for a maximum of 16 days. In this spell he will be permitted to include holidays which will not be debited to his casual leave account. The total spell, however, should in no case exceed 16 days. The balance of the casual leave can be taken in driblets. It may be emphasised that it is desirable, but not compulsory for Government employees to take such a spell. Where a Government employee desires to take such a spell, permission should not ordinarily be refused although of course the competent

 APPENDIX 17

authority may adjust the dates on which the spell is taken for administrative convenience.

Note.1—A Government employee should not leave his district during casual leave without permission.

Note 2.—As exception to the above rule,

- (a) A Government employee who has been bitten by a rabid animal may be granted casual leave up to 16 days to proceed to a centre or Institute for anti-rabic treatment. If in a special case leave for more than 16 days is necessary and the appointment of substitute if found necessary, one month's additional "earned leave" may be granted which shall not be debited against the leave at the credit of the Government employee. When, however, no substitute is engaged, the entire period of one and a half month leave should be treated as casual leave. Any leave required in excess of one and a half months may be granted under the ordinary rules applicable to the Government employee concerned.
- (b) The concessions specified in clause (a) above may be extended to a Government employee without a lien on a permanent post, while officiating in a permanent or temporary post, or holding a temporary post, the pay which he may draw in such a post being taken as the "substantive pay" for this purpose.

Note 3.—It is not in order to grant casual leave on half pay or without pay as a Government employee on casual leave is not treated as absent from duty and his pay is not intermitted. If in any case, less than full pay is allowed, it would amount to an imposition of a penalty not provided for in the Punishment and Appeal Rules.

2. Except in cases where previous reference would cause real inconvenience, a Government employee should not, without previous permission come on casual leave to headquarters or the place where the Governor is residing, for the purposes of making a representation to the Governor. The prohibition does not apply to a Government employee who is on any other kind of leave, or who does not intend to make any such representation.

3. No Government employee may go, on casual leave, to a place beyond 36 hours recall, and no Deputy Commissioner or Superintendent of Police may go to Kullu or Kashmir, without the express sanction of Government.

4. If a Government employee overstays his casual leave for any reason whatsoever, for example, a break-down on the road due to flood or landslips the entire period of absence will be debited to his ordinary leave account, and not only the period by which he has overstayed his casual leave.

5. No Government employee may leave his headquarter, during gazetted holidays except with the permission of his immediate departmental superior, who must undertake the responsibility of granting such permission.

6. Casual leave must not be given so as to cause evasion of the rules regarding—

- (i) date of reckoning pay and allowances;
- (ii) charge of office;
- (iii) commencement and end of leave;
- (iv) return to duty;

or so as to extend the term of other kinds of leave beyond the time admissible by rule.

II QUARANTINE LEAVE

1. Quarantine leave is leave of absence from duty necessitated by orders not to attend office in consequence of the presence of infectious diseases in the family or household of a Government employee. Such leave may be granted by the Head of the Office on the certificate of a Medical or Public Health Officer for a period not exceeding 21 days or in exceptional circumstances, 30 days. Any leave necessary for quarantine purposes in excess of this period shall be treated as ordinary leave. Quarantine leave may also be granted, when necessary, in continuation of other leave, subject to the above maximum. Except as provided in the note below no substitute should be appointed in place of a Government employee absent on quarantine leave.

Explanation.—(1) Quarantine leave is not admissible in the case of Government employee who himself contracts an infectious disease.

(2) The maximum limits of 21 and 30 days prescribed in this rule refer to each occasion on which leave is applied for and granted.

Note (1).—Cholera, Small-pox, Plague, Diphtheria, Typhus Fever and Cerebrospinal Meningitis may be considered as infectious diseases for the purpose of the rule. In the case of chicken-pox, quarantine leave should not be sanctioned unless the Health Officer responsible considers that because of doubt as to the true nature of the disease, for example Small-pox, there is a reason for the grant of such leave. In the case of Government employee stationed in areas under the administration of other States, such other diseases as may have been declared by those Governments as infectious for the purpose of their quarantine leave may also be considered as infectious diseases for the purpose of the rule. Such Government employees will, however, be eligible for quarantine leave for any of the diseases mentioned above, even though it has not been declared in orders issued by other States concerned to be an infectious disease.

Note (2).—The authority referred to in paragraph 1 of Section 1 above may sanction a substitute for an absentee who is on quarantine leave and whose duties cannot be arranged for without prejudice to his pay: Provided that the absence does not exceed 30 days.

 APPENDIX 17

2. The competent authority under paragraph 1 above may grant “quarantine” leave to the following classes of Government employees in the Printing and Stationery Department, Punjab.—

- (i) all temporary and officiating employees.
- (ii) permanent piece-workers not classed as “Group ‘D’ Government employees”.
- (iii) permanent salaried industrial employees not classed as “Group ‘D’ Government employees”.
- (iv) all press employees governed by the Rules, in Chapter VIII.
- (v) Press employees, both salaried and piece-workers, who have completed 10 years service (actual duty) on the temporary establishment;
- (vi) permanent Group ‘D’ piece hand distributors.

III. SPECIAL CASUAL LEAVE

(a) Special Casual Leave for Family Welfare Schemes

1.1. (1) Special casual leave not exceeding six working days, may be granted to a male Government employee, who undergoes sterilisation operation under the Family Welfare Schemes. Such leave shall be granted on satisfying the sanctioning authority that the operation shall be performed on the same day or the next day of the commencement of leave.

(2) Special casual leave not exceeding six working days under this rule, may be allowed for the second time for re-sterilisation if the initial operation not having been successful, the Government employee had to be operated upon for the second time.

1.2. Special casual leave not exceeding fourteen days, may be allowed to a female Government employee who undergoes tubectomy operation (in case of non-puerperal sterilisation) under the Family Welfare Schemes.

1.3. One day’s non-debitable casual leave may also be granted to a female Government employee for the day of insertion of loop or IUCD under the Family Welfare Schemes.

1.4. Special casual leave not exceeding seven days, may be granted to a male Government employee, whose wife undergoes a non-puerperal tubectomy operation subject to the condition that it is certified by the doctor performing the operation that the presence of the male Government employee for the period of leave is essential to look after his wife during her convalescence after operation.

1.5. The concession of special casual leave for Family Welfare Schemes is also admissible to the work-charged and industrial employees of the Punjab Government.

(b) Special Casual Leave for Sports Events

2.1. Special casual leave up to thirty days in a calendar year, may be granted to Government employees, who are sportspersons and take part in sports events, tournaments and matches of national and international importance held either in India or abroad.

2.2. The concession of special casual leave admissible under rule 2.1 can also be given to the employees, who participate in the inter-district matches and in preliminary tests for selection to the Punjab teams for inter-State i.e. All India Sports events, but each case should be dealt with on its merits by the authorities competent to grant leave keeping in view the type of tournament etc.

2.3. The concession of special casual leave admissible under rule 2.1 to Government employees, who are sportspersons, shall also be admissible to those Government employees, who participate in sports events of national and international character to act as umpires, referees or judges. This concession shall also be admissible to sportspersons, who are sponsored by the State Government for coaching or training in the Netaji Subhas National Institute of Sports, Patiala.

(c) Special Casual Leave for office bearers of recognised Service Associations/trade unions

3. Casual leave upto a maximum of ten days, may be allowed to the office bearers of recognised Service Associations/trade unions, for participating in executive meetings, conferences and other activities of their respective Associations/trade unions subject to the condition that half of the leave enjoyed in this manner, shall be debited to the ordinary casual leave account of the employee concerned and the remaining half to his special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this manner, shall be five days in a year.

(d) Special Casual Leave for taking part in cultural events or programmes

4. A Government employee (other than the Government employees of the Department of Information and Public Relations, who shall be treated as on duty), when selected by the Department of Information and Public Relations to take part in a cultural programme of national or international importance, may be granted a special casual leave up to ten days at a time for participation in any of the following cultural events or programmes, subject to the condition that the total special casual leave in a year shall not exceed thirty days:-

- (i) Republic day celebration at Delhi;
- (ii) Visit of cultural troupes to border areas;

 APPENDIX 17

- (iii) Visit of cultural troupes to other States during National Celebration; and
- (iv) All India Drama Festivals organised by the Ministry of Information and Broadcasting.

(e) Special Casual Leave for Ex-servicemen in civil employ, who appear before the Medical Re-survey Board

5.1. An ex-serviceman in civil employ, who appear before the Medical Re-survey Board for re-assessment of their disability, may be allowed special casual leave of fifteen days in a calendar year.

5.2. A disabled ex-serviceman, who has been provided with artificial limbs as a result of injuries sustained in operations and re-employed in civil capacity and who has to report to Artificial Limb Centre and stay in hospital as and when his artificial limbs require replacement/treatment, may be allowed special casual leave of fifteen days on more than one occasion in a calendar year, if need be.

(f) Special Casual Leave to a Government employee, who becomes victim of terrorist violence

6. A Government employee, who becomes a victim of terrorist violence and remains in a hospital as indoor patient, the period spent by him in hospital including the period during which he remains on leave on medical advice after discharge from the hospital, should be treated as special casual leave subject to the following conditions: –

- (i) that the employee concerned should produce a certificate from the competent civil authority that he was injured in terrorist action;
- (ii) that the leave shall be sanctioned only on the recommendations of a Medical Authority not below the rank of a Senior Medical Officer;
- (iii) that the authority to grant leave shall be the same as is in the case of earned leave, mentioned in Appendix 12; and
- (iv) that no substitute shall be provided during the period of this leave.

ANNEXURE

Omitted

APPENDIX 18

(Referred to in note 2 to paragraph 2 of Annexure I to Section I of Chapter VIII)

List of Government employees Serving in vacation Departments.

The following is a complete list of Government employees declared to be serving in vacation departments:—

Department	Designation of Government Employee	
I. Judicial	1.	Civil Judges (Senior Division), Additional Civil Judges (Senior Division) and Civil Judges (Junior Division) and their establishment including Process Serving establishment actually employed on work connected with Process Serving.
II.(A)-Education (General)	1.	Principals, staff, Laboratory Attendants and establishment of Government Colleges for boys and girls excluding Librarians, Clerical Staff, Restorers, and all Group 'D' Government employees.
	2.	Head staff and Laboratory Attendants of Government Schools for boys and girls excluding clerical staff and all Group 'D' Government employees.
II.(B)-Education (Technical)	1.	Principal and staff including Laboratory Attendants (excluding ministerial and other Group 'D' employees) of the Government Polytechnic Institutions including Junior Technical Schools.
III. Industries	1.	Principal, Assistant Principal and the other teaching and temporary staff of the School of Arts.
	2.	Teaching Staff of the Government Training Institute Jalandhar, Government Industrial Schools for Girls, Government Institute of Dyeing and Calico Printing including the Dyeing Experts.
	3.	Masters and Technical staff of the Government Central Weaving Institute, Amritsar, Government Hosiery Institute, Ludhiana, all the Industrial Schools, including the Wood Works and Metal Work Schools at Jalandhar.
IV. Health	1.	Principals, whole-time Professors, Associate Professors, Readers, Assistant Professors, Demonstrators, Bio-Chemists, Blood Transfusion Officers, Assistant Blood Transfusion Officers, Senior Anaesthetists, Refractionists, Clinical Pathologists and Radiologists of the State Medical Colleges.

APPENDIX 18

Department	Designation of Government Employee	
	2.	Principals, Professors, Assistant Professors and Demonstrators of the State Dental Colleges.
	3.	<p>The technical staff and trainees of the Punjab Health School, Amritsar shall be entitled to summer vacations of one month's duration every year on the dates mentioned below:-</p> <p>(i) 2nd May to 1st June.</p> <p>(ii) 2nd June to 1st July.</p> <p>Half the staff and trainees shall enjoy the vacation in 1st spell and the other half in the 2nd spell. The arrangements for splitting up of the staff and trainees of the Health School will be made by the Superintendent/Principal, Punjab Health School, Amritsar, and he/she shall have discretion to permit the staff and the trainees to enjoy the vacation in the first or the second spell keeping in view the training programme.</p>
V. Public Works	1.	Principal and staff of the Punjab Colleges of Engineering and Technology with the exception of clerical and Group 'D' establishments and the Draftsmen, Dispensers, Boiler Room Attendant, Mechanics, Carpenter and Electrician, and the Laboratory Attendants.
	2.	Principal, Professors, Assistant Professors, Assistant Workshop Instructors, Lecture Assistants, and Laboratory Attendants, of the Punjab Engineering College.
VI. Scheduled Castes and Backward Classes Department.		Teachers employed in the Criminal Tribes Settlement Schools.
VII. Veterinary		Principal, Professors, Assistant Professors, Physical Training Instructor, Lecturers, Ferriery Demonstrators, Demonstrators, Laboratory Assistants and Artist and Laboratory Attendants at the Punjab Veterinary College and Veterinary Assistant Surgeon, Forge.
VIII.	Omitted.	

APPENDIX 19

(Omitted)

APPENDIX 20

(Referred to in note under rule 8.126)

Rules to the grant of additional leave to Government employees, for the Study of Scientific, Technical or Similar problems, or for undertaking special courses of instruction.

PART A—STUDY LEAVE RULES, 1963

1. Short title, commencement and application:—

- (1) These rules may be called the Study Leave Rules, 1963.
- (2) They shall come into force at once.

2. Definitions:—

- (1) In these rules unless the context otherwise requires:—

- (a) 'Audit Officer' means the Accountant-General, Punjab.
- (b) 'Head of Mission' means Ambassador, Charged-Affairs Minister, Counsul General, High Commissioner and any other authority declared as such by the Central Government in the country in which the Government employee undergoes a course of study or training.

(2) All other words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Punjab Civil Services Rules, Volume I, Part I.

3. Conditions for grant of study leave.—

(1) Subject to the conditions specified in these rules, study leave may be granted to a Government employee with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting of higher studies, specialised training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(2) Study leave may also be granted:

- (i) For a course of training or study tour in which a Government employee may not attend a regular academic or semi-academic course, if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to the sphere of duties of the Government employee; and
- (ii) For the purposes of studies connected with the framework or background of public administration; subject to the conditions that—
 - (a) the particular study or study tour should be approved by the authority competent to sanction study leave; and

- (b) the Government employee should be required to submit, on his return a full report on the work done by him while on study leave.
- (c) On completion of the course of study, the Government employee shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in charge of the course of the study.
- (iii) for the studies which may not be closely or directly connected with the work of a Government employee but which are capable of widening his mind in a manner likely to improve his abilities as a Civil employee and to equip him better to collaborate with those employed in other branches of the public service.

Note:—Applications for the study leave in cases falling under clause (iii) shall be considered on merits of each case in consultation with the Finance Department.

- (3) Study leave shall not be granted, unless:—
 - (i) it is certified by the authority competent to sanction leave that the proposed course of study or training shall be of definite advantage from the point of view of public interest;
 - (ii) it is for prosecution of studies in subjects other than academic or literary subjects or it is applied for by a Medical Officer for prosecuting course of post-graduate study in Medical Sciences and the applicant obtains a certificate from the Director, Health Services, Punjab, to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties; and
 - (iii) the Economic Affairs Department of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India:

Provided that in releasing foreign exchange to Government employees proceeding on study leave abroad, the Department aforesaid shall satisfy itself whether such Government employee comply with the minimum educational qualifications as specified in the general orders issued by the said Department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expense.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the schemes administered by the Economic Affairs Department of the Finance Ministry, the Ministry of Education and the Ministry of Scientific Research and Cultural Affairs.

APPENDIX 20

(5) Study leave shall not ordinarily be granted to a Government employee—

- (i) who has rendered less than five years' service under the Government; or
- (ii) who is due to retire or has the option to retire from the Government service within three years of the date on which he is expected to return to duty after the expiry of the leave.

(6) Study leave shall not be granted to a Government employee with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

4. Authorities competent to sanction study leave :—

(1) Study leave may be granted —

- (i) to a Government employee by the concerned Administrative Department of Government and the Head of Department where the powers to grant such leave have been delegated by the Administrative Department to the Head of the Department;
- (ii) to the Secretary of the Punjab Legislative Assembly by the Department of General Administration; and
- (iii) to the other Secretariat staff of the Punjab Legislative Assembly by the Speaker of the Punjab Legislative Assembly.

(2) Where a Government employee borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the conditions that—

- (i) No substitute shall be appointed to carry on his work in his absence, and
- (ii) The concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.

5. Maximum amount of study leave that may be granted at a time during the entire service.—The maximum amount of study leave which may be granted to a Government employee shall be:—

- (i) ordinarily twelve months at any one time, which shall not be exceeded save for exceptional reasons, and
- (ii) twenty-four months (inclusive of study leave granted under any other rules) in all during the entire service.

6. Combination of study leave with leave of other kinds.—

- (1) Study leave maybe combined with other kinds of leave, but in no case shall the grant of this leave in combination with leave other than extraordinary leave

involve a total absence of more than twenty eight months from the regular duties of the Government employee.

- (2) A Government employee granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.

Note.—The limit of twenty-eight months of absence prescribed in sub-rule (1) includes the period of vacation.

7. Regulation of study leave extending beyond course of study.—When the course of study falls short of leave sanctioned, the Government employee shall resume duty on the conclusion of the course of study, unless the previous assent of authority competent to sanction leave to treat the period of short fall as ordinary leave has been obtained.

8. Grant of study allowance.—A study allowance shall be granted for the period spent in prosecuting the definite course of study at a recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

9. Period for which study allowance may be granted.—The period for which study allowance may be granted shall not exceed twenty-four months in all.

10. Rates of study allowance.—

(1) The rates of study allowance shall be as follows but may be revised from time to time: —

Name of Country	Study allowance per diem
Australia	... £ 1.00 (Sterling)
Continent of Europe	... £ 1.65 (Sterling)
New Zealand	... £ 1.20 (Sterling)
United Kingdom	... £ 2.00 (Sterling)
United States of America	... £ 2.75 (Sterling)

(2) The rates of study allowance to be granted to a Government employee who takes study leave in other countries shall be such as may specially be determined by the competent authority in each case.

(3) In cases where a Government employee is on study leave at the same place as his place of duty the leave salary, plus the study allowance shall not together exceed the pay that he would have otherwise drawn had he been on duty.

APPENDIX 20

11. Conditions governing grant of the study allowance.–

(1) Subject to the furnishing of a certificate by the Government employee to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part-time employment, study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government employee that he would refund to Government any over-payment consequent on his failure to produce the required certificate of attendance on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which study allowance is claimed.

(2) A Government employee may be allowed to draw study allowance for the entire period of vacation during the course of study subject to conditions that:–

- (i) he attends during vacation any special course of study or practical training under the direction of Government in consultation with Finance Department;
- (ii) in the absence of any such direction, he produces satisfactory evidence before the Head of Mission or the authority competent to sanction study leave, as the case may be, that he has continued his studies during the vacation.

(3) No study allowance shall be drawn during vacation falling at the end of a course of study except for a maximum period of fourteen days.

Note.–The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of twenty-four months, for which study allowance is admissible.

(4) Study allowance shall not be granted for any period during which the Government employee interrupts his course of study to suit his own convenience:

Provided that the authority competent to sanction study leave, in a case where the study leave is taken in India or a country where there is no Indian Mission, and the Head of Mission, in other cases, may authorise the grant of study allowance for any period not exceeding fourteen days at a time during which the Government employee is prevented by sickness from pursuing his course of study.

(5) In the case of a definite course of study at a recognised institution, the study allowance shall be payable by the authority competent to sanction study leave if the study leave availed of is in India or in a country where there is no Indian Mission and by the Head of Mission in other cases, on claims submitted by the Government employee from time to time, supported by proper certificates of attendance.

(6) The certificate of attendance required to be submitted in support of the claims for study allowances shall be forwarded at the end of the term, if the Government employee is undergoing study in an educational institution, or at intervals not exceeding three months, if he is undergoing study at any other institution.

(7) When the programme of study approved does not include or does not consist entirely of such a course of study, the Government employee shall submit to the authority competent to sanction study leave direct or through the Head of Mission a Diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adopting such methods or operations to conditions, obtaining in India. The authority competent to sanction study leave shall decide whether the diary and report show if the time of the Government employee was properly employed and shall determine accordingly for what periods study allowance may be granted.

- (8) (i) In the case of a Government employee who holds a Group 'A' or Group 'B' post, the payment of study allowance at the full rate shall be subject to the production of a certificate to the effect that he is not in receipt of any scholarship/stipend or any other remuneration in respect of any part-time employment, and
- (ii) In the case of a Government employee who does not hold a Group 'A' or Group 'B' post, to whom study leave has been granted in relaxation of the provisions of clause (ii) of sub-rule (5) of rule 3, such a certificate as is referred to in clause (i) of this sub-rule shall be obtained from him by the drawing officer and the same shall be enclosed along with the bill for the drawal of study allowance.

12. Grant of study allowance to Government employees in receipt of scholarship or stipend.—A Government employee who is granted study leave may be permitted to receive and retain, in addition to his leave salary any scholarship or stipend that may be awarded to him from a Government or non-Government source. Where a Government employee has been permitted to receive and retain in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non-Government source, or any other remuneration in respect of any part-time employment.—

- (a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees if any, paid by the Government employee from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance, otherwise admissible.
- (b) in case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of any part-time employment and the study allowance may be granted by the authority competent to grant leave.

APPENDIX 20

13. Grant of study allowance to Government employee who accepts part-time employment during study leave.—If a Government employee, who is granted study leave, is permitted to receive and retain, in addition to his leave salary, any remuneration in respect of a part-time employment he shall ordinarily not be granted any study allowance, but in cases, where the net amount of remuneration received in respect of the part-time employment (arrived at by deducting from remuneration any cost of fee paid by the Government employee) is less than the study allowance that would be admissible but for the remuneration, the difference between the net remuneration and the study allowance may be granted by the leave sanctioning authority.

14. Allowances in addition to study allowance.—No allowance of any kind other than the dearness allowance and study allowance where admissible or the traveling allowance where specially sanctioned under rule 15 shall be admissible to a Government employee in respect of period of study leave granted to him.

15. Grant of traveling allowance.—A Government employee shall not ordinarily be paid traveling allowance but the competent authority may in exceptional circumstances sanction the payment of such allowance.

16. Cost of fees for study.—A Government employee granted study leave shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases the competent authority may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government employee who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain in addition to his leave salary, any remuneration in respect of part-time employment.

17. Execution of a bond.— (1) Every Government employee in permanent employ who has been granted study leave or extension of such leave shall be required to execute a bond as given in Schedule ‘A’ or Schedule ‘A-I’, as the case may be, annexed to these rules, before the study leave or extension of such leave granted to him commences. If study leave or extension of such leave is granted to a Government employee not in permanent employ, the bond shall be executed as given in Schedule ‘B’ or Schedule ‘B-I’, as the case may be, annexed to these rules, before the study leave or extension of such study leave granted to him commences.

(2) The authority competent to sanction study leave shall send to the Audit Officer, a certificate to the effect that the Government employee has executed the requisite bond.

18. Resignation and retirement after study leave or non-completion of course of study.–

(1) If a Government employee resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty or fails to complete the course of study and is thus unable to furnish the certificate as required under sub-clause (c) of clause (ii) of sub-rule (2) of Rule 3, he shall be required to refund:–

- (i) double the amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the State Government; and
- (ii) the actual amount, if any of the cost incurred by other agencies, such as foreign Governments, Foundations, Trusts etc., in connection with the course of study, together with interest thereon at Government rates for the time being in force on Government loans from the date of demand before his resignation is accepted or permission to retire is granted or quitting service otherwise:

Provided that except in the case of employees who fail to complete the course of study competent authority may order:–

- (a) that nothing in this rule shall apply to a Government employee who on return to duty from study leave is permitted to retire from the service on medical grounds;
- (b) that the amount required to be refunded under this rule shall, in the case of a Government employee who on return to duty from study leave is permitted to resign from the service and to take up employment or is deputed to serve under a statutory or autonomous body or in any institution under the control of the Government and is subsequently permitted to resign from service under Punjab Government with a view to his permanent absorption in the statutory or autonomous body or institution in the public interest be reduced to an amount equal to the expenditure incurred by the Government and the said other agencies in respect of the leave salary, study allowance, cost of fees, traveling and other expenses sanctioned to him during the period of study leave together with interest thereon.

(2) The study leave availed of by such a Government employee shall be converted into regular leave at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave. In addition to the amount to be refunded by the Government employee under sub rule (1) he shall be required to

APPENDIX 20

refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this rule, the competent authority may, if it is necessary or expedient so to do, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government employee concerned or class of Government employees.

19. Leave salary during study leave.–

(1)(a) During study leave availed outside India, a Government employee shall draw leave salary equal to the pay (without allowances other than dearness allowance) that the Government employee drew while on duty with Government immediately before proceeding on such leave, in addition to the study allowance admissible in accordance with the provisions of rule 9 to 11 and;

(b) For courses of study in India no study allowance shall be paid. The leave salary payable during study leave in India shall be equal to the pay (without allowances other than dearness allowance) that the employee drew while on duty with Government immediately before proceeding on such leave. The amount, if any, received by him during the period or study leave as scholarship or stipend or remuneration in respect of any part-time employment shall be adjusted against the leave salary subject to the condition that the leave salary shall not be reduced to an amount less than that payable as leave salary during half pay leave.

(2) The rate of exchange prescribed by the President for the conversion of leave salary (other than that admissible during the first 120 days of earned leave) shall apply to leave salary during study leave.

20. Commencement of course of study during leave other than study leave.–

A Government employee may, subject to the approval of the proper authority being obtained as required under paragraph 1 of schedule 'C' annexed to these rules, undertake or commence a course of study during earned leave and subject to rules 8 to 15 and 18, draw study allowance in respect thereof.

21. Counting of study leave for promotion, pension, seniority, leave and increments.–Study leave shall count as service for promotion, pension and seniority. It shall also count as service for increments as provided in rule 4.9 of Punjab Civil Services Rules, Volume I, Part I.

(2) The period spent on study leave shall not count for earning leave, other than half pay leave under rule 8.119 of Punjab Civil Services Rules, Volume I, Part I.

22. Debiting of study leave to the leave account:—Study leave shall be treated as extra leave on half pay and shall not be taken into account in reckoning the aggregate amount of leave on half pay taken by the Government employee towards the maximum period admissible.

23. Procedure for making application for study leave and grant of such leave.—The procedure for making application for study leave and grant of such leave shall be as laid down in the procedural instructions given in Schedule ‘C’ annexed to these rules.

24. Omitted.

SCHEDULE ‘A’

(See Rule 17)

BOND FOR PERMANENT GOVERNMENT EMPLOYEES PROCEEDING ON STUDY LEAVE UNDER THE STUDY LEAVE RULES CONTAINED IN APPENDIX 20 TO THE PUNJAB CIVIL SERVICES RULES, VOLUME I, PART II.

Know all men by these presents that I _____ resident of _____ in the district of _____ at present employed as _____ in the Department/Office of _____ do hereby bind myself and my heirs, executors and administrators to pay the Governor of Punjab (here-in-after called “The Government”) on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and TOGETHER with all cost between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this _____ day of _____ two thousand and _____.

Signature _____

Witness:

(1) _____

(2) _____

WHEREAS I _____ am granted study leave by Government;

AND WHEREAS for the better protection of the Government I have agreed to execute this bond with such condition as hereunder is written;

APPENDIX 20

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave or at any time within a period of _____*after my return to duty or failing to complete the course of study I shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon my making such payment the above-written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

The Government of Punjab have agreed to bear the stamp duty payable on this bond.

Signed and delivered by _____ in the presence of witness (1)

(2)

*Note:—The period shall be determined in accordance with the instructions contained in F.D. circular letter No. 8709 (3) FRII-64/9821, dated the 22nd October, 1964.

ACCEPTED

For and on behalf of the Government of Punjab

SCHEDULE 'A-I'.

(See Rule 17)

BOND FOR PERMANENT GOVERNMENT EMPLOYEES GRANTED EXTENSION OF STUDY LEAVE.

Know all men by these presents that I _____ resident of _____ in the District of _____ at present employed as _____ in the Department/Office of _____ do hereby bind myself and my heirs, executors and administrators to pay to the Government of Punjab (here-in-after called "the Government") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government Loans, or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this _____ day of _____ two thousand _____.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

WHEREAS I _____ was granted study leave by Government for the period from _____ in consideration of which I executed a bond dated _____ - _____ for Rs. _____ (Rupees _____) in favour of the Government of Punjab.

AND WHEREAS the extension of study leave has been granted to me at my request until _____.

AND WHEREAS for the better protection of the Government, I have agreed to execute this bond with such condition as hereunder is written:

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave so extended or any time within a period of _____ *after my return to duty or failing to complete the course of study I shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon my making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

The Government of Punjab have agreed to bear the stamp duty payable on this bond.

Signed and delivered by _____ in the presence of witness:

- (1)
- (2)

ACCEPTED

for and on behalf of the Government of Punjab

***Note.**— The period shall be determined in accordance with the instructions contained in Finance Department Circular letter No. 8709(3)FRII-64/9821, dated the 22nd October, 1964.

APPENDIX 20

SCHEDULE 'B'
(See Rule 17)BOND FOR TEMPORARY GOVERNMENT EMPLOYEES PROCEEDING ON
STUDY LEAVE UNDER THE STUDY LEAVE RULES CONTAINED IN
APPENDIX 20 TO PUNJAB CIVIL SERVICES RULES, VOLUME I, PART II

Know all men by these presents that we _____ resident of _____ in the district of _____ at present employed as _____ in the Department/Office of _____ (hereinafter called the obligor) and Shri _____, son of _____ of _____ (hereinafter called the sureties) do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Punjab (hereinafter called "the Government") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, equivalent of the said amount in the currency of that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this _____ day of _____ two thousand _____

Signature of the obligor _____

Sureties (1)

(2)

Witness: (1)

(2)

WHEREAS the obligor is granted study leave by the Government AND WHEREAS for the better protection of the Government the obligor has agreed to execute this bond with such condition as hereunder is written;

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the above bounden _____

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the obligor Shri _____ resigning from service without returning to duty after the expiry or termination of period of study leave or any time within a period of _____ after his return to duty or failing to complete

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

the course of study the obligor and the sureties shall forthwith pay to the Government as may be directed by the Government on demand the said sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the obligor Shri _____ and or Shri _____ and, or Shri _____ the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Government or any person authorised by them (whether with _____ or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties, Shri _____ and Shri _____ or any of them or amounts due hereunder.

The Government of State of Punjab have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the obligor,

above named Shri _____ in the
presence of _____

Signed and delivered by the surety

above named Shri _____ in the
presence of _____

Signed and delivered by the surety

above named Shri _____ in the
presence of _____

ACCEPTED

for and on behalf of the Government of Punjab

Note.—The period shall be determined in accordance with the instructions contained in Finance Department Circular Letter No. 8709 (3) FRII-64/9821, dated the 22nd October, 1964.

APPENDIX 20

SCHEDULE 'B-I'

(See Rule 17)

BOND FOR TEMPORARY GOVERNMENT EMPLOYEES GRANTED
EXTENSION OF STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT WE _____ resident _____ in the district _____ at present employed as _____ in the Department/Office of _____ (hereinafter called "the obligor") and Shri _____, son of _____ of _____ (hereinafter called the sureties) do hereby jointly and severally bind ourselves and our respective heirs, Executors and Administrators to pay to the Government of Punjab (hereinafter called "the Government") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this _____ day of _____ two thousand _____.

WHEREAS the obligor was granted study leave by the Government for the period from _____ to _____ in consideration of which he executed a bond, dated _____ for Rs. _____ (Rupees _____) in favour of the Government of Punjab.

AND WHEREAS the extension of study leave has been granted to the obligor at his request untill _____

AND WHEREAS FOR the better protection of the Government obligor has agreed to execute this bond with such condition as hereunder is written.

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the above bounden _____.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT in the event of the obligor Shri _____ resigning from service without returning to duty after the expiry or termination of the period of study leave so extended or at any time within a period of _____* after his return to duty or failing to complete the course of study the obligor and sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs.* _____ (Rupees _____)

together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the obligor Shri_____,and, or Shri_____and, or Shri_____the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of the time being granted or by any forbearance act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri_____and Shri_____or any of them for amounts due hereunder.

The Government of Punjab have agreed to bear the stamp duty payable on this bond.

IN WITNESS WHEREOF_____the Government employee above named has signed these presents the day month and year first above written.

Signed, sealed and delivered by_____in the presence of:-

- 1.
- 2.

Accepted for and on behalf of the Governor of Punjab by_____

*Note:-The period shall be determined in accordance with the instructions contained in Finance Department Circular letter No. 8709(3) FR II-64/9821, dated the 22nd October, 1964.

SCHEDULE 'C'

(See Rule 23)

PROCEDURAL INSTRUCTIONS FOR MAKING APPLICATION FOR STUDY LEAVE AND GRANT OF SUCH LEAVE

1. Except as otherwise provided in these rules, all applications for study leave shall be submitted to the authority competent to sanction the study leave through the prescribed channel and the course or courses of study contemplated and any examination which the Government employee proposes to undergo shall be clearly specified therein. If the course of study is out of India, the authority competent to sanction the study leave shall forward, to the Head of Mission, if there is an Indian Mission in that country, a copy of the approved programme of study. In a case where it is not possible for the Government employee to give full details in his original applications, or if, after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of Missions or the authority

APPENDIX 20

competent to sanction the study leave, as the case may be. In such cases he shall not, unless prepared to do so at his own risk, commence the course of study nor incur any expenses in connection therewith until he receives approval of the authority competent to sanction the study leave to the course.

2. On completion of a course of study a certificate in the proper form (which may be obtained from the Head of Mission), together with certificates of examinations passed or special course of study undertaken indicating the dates of commencement and termination of the course with remarks, if any, of the authority incharge of the course of study, shall be forwarded to the Head of Mission concerned. When the study leave has been taken in India or any other country where there is no Indian Mission, such certificate shall be forwarded to the authority which sanctioned the leave.

Part B—Rules for the grant of permission to Government Employees of the Public Works Department while on leave to visit Engineering works in the United Kingdom and elsewhere.

1. These rules are, as a rule, applicable only to junior officers, but applications from senior officers will in special cases, be considered on their merits. In either case, it is to be understood that no Government employee is entitled to claim any such privilege as a matter of right.

2. Each application for greater facilities than those afforded by these rules shall be considered on its own merits.

3. An application for permission to visit engineering works at the public expense should be made to the Government. The applicant should state specifically what particular works he proposes to visit.

4. Such application as may be approved by Government and sanctioned by the competent authority will be forwarded to the High Commissioner for India, with a request that the necessary arrangements may be made. In the forwarding letter, it will be clearly stated whether or not halting allowance should be granted.

5. After completing his tour of inspection, the Government employee will be required to forward to the High Commissioner for India for transmission to the Government, a report or paper of notes on the works examined, embracing more especially his views as to the applicability to India or works of a similar description. If the report appears to the High Commissioner satisfactory, the Government employee will be paid his travelling expenses under the rules given in Appendix 10. For this purpose, the report should be accompanied by full and detailed particulars of expenses incurred in travelling to and from the works visited, supported if possible, by complete and detailed vouchers for all items of bonafide travelling expenses which will not include hotel bills.

PART C.—RULES UNDER WHICH SELECTED OFFICERS OF THE FOREST DEPARTMENT MAY BE AUTHORISED TO DEVOTE PORTIONS OF THEIR LEAVE TO THE STUDY OF FORESTRY ON THE CONTINENT OF EUROPE AT THE PUBLIC EXPENSE.

1. A Forest Officer desirous of obtaining permission to study Forestry under these orders, must submit an application to the competent authority through the Chief Conservator/Conservator under whom he is serving.

2. The Government will require to be satisfied that the Government employee applying is likely to profit by the additional experience which he will gain by continental study and that he possesses sufficient knowledge of the language of the country which it is proposed that he should visit.

3. The application should reach the Government not less than two months before the Government employee concerned proposes to depart from India on leave. It should state the purpose of the proposed tour and, as far as may be possible, the localities which it is proposed to visit.

4. Government employees on leave out of India who wish to avail themselves of the privileges conferred by these rules, should address the High Commissioner for India, London, giving the information mentioned in the preceding paragraph.

5. If the application is sanctioned, the Government employee concerned will, on arrival in England, report himself to the High Commissioner for India. The details of the tour will then be arranged under his orders.

6. The maximum period which a Government employee will be allowed to spend on study under these rules, will be limited to three months at one time. Ordinarily, no Government employee will be permitted to avail himself of the privilege granted by these rules on more than two occasions in the course of his service. At the end of any period of study, the Government employee concerned will submit to the High Commissioner a diary showing how his time has been spent, and a report which should indicate fully the nature of the operations studied. The High Commissioner will decide whether the diary and the report show that the time of the Government employee has been properly employed, and will determine accordingly for what period the daily allowance admissible under rule 7 may reasonably be granted.

7. A Government employee permitted to avail himself of the privilege granted by these rules, will be paid by the High Commissioner, the cost of first class return tickets by rails and steamer from London to the places which he may be required to visit. He will, also subject to the preceding paragraph, be granted a daily allowance, on such scale as the competent authority may fix, from time to time, during the period of study. Forms for the submission of claims for travelling and subsistence allowances

 APPENDIX 20

may be had on application to the Secretary, Commerce and Revenue Department, at the India Office, and claims should be submitted to High Commissioner for payment.

8. The reports, notes and drawings submitted by a Government employee may not, without the previous permission of the Government, be communicated to any professional journal or institution; and the Government will be at liberty to print, publish or circular them, should they think fit to do so.

9. The cases of Government employees who wish to undergo regular courses of study at institutions will be dealt with under the general orders in Part A of this Appendix.

PART D.—ASSISTANT TO GOVERNMENT EMPLOYEES ON LEAVE IN THE
UNITED KINGDOM WHO WISH TO PROSECUTE THEIR LEGAL
STUDIES AT ONE OF THE INNS OF COURT, LONDON, OR THE
KING'S INNS, DUBLIN.

1. These rules are applicable only to Government employees of Judicial Branch of the State Civil Service.

2. A Government employee to whom these rules are applicable, desiring to undertake a course of study at one of the Inns of Court, London, or the King's Inns, Dublin, while on leave in the United Kingdom, may apply in writing to the competent authority for a certificate of eligibility under these rules.

3. Such certificate shall not be granted, unless the applicant has or will have, at any time, subsequent to the date of his indented admission to one of the Inns of Courts, London, or the King's Inns, Dublin, sufficient leave due under the ordinary rules, to enable him to present himself at the final examination prescribed for a call to the Bar, before he has completed the first fifteen years of his service under Government.

4. A Government employee, to whom a certificate of eligibility has been granted under paragraph 3, on reporting himself for orders at the office of the High Commissioner for India, and after executing a bond in the form annexed will be entitled to the following concessions subject to the conditions set forth in the said bond:—

- (a) An advance of all fees or other moneys payable in connection with his admission, to one of the Inns of Court, London, or the King's Inns, Dublin.
- (b) In the case of the Inns of Court, London, a bonus of £ 25 for each first class obtained in any of the four examinations comprising Part I, and of £ 50 for a first class in the final Examination or Part II of the examinations prescribed by the Council of Legal Education for a call to the Bar or for obtaining the Langdon Medal, and of £ 25 for obtaining subsequently to a pass in the

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Final Examination for the Bar, an additional first class in Hindu and Mohammedan Law taken separately and in the case of the King's Inns, Dublin, a bonus of £ 50 for a first class at each of the two continuous course examinations, and of £ 50 for a first class at the final examination.

- (c) A bonus of £75 in part refund of any fees actually paid to a practising Barrister or two practising Barristers in England for reading in his or their chambers;

Provided that the period of reading shall not have been less than two terms of six months each (not including in either of such terms, unless they are continuous, the months of August and September) and that the bonus shall be payable only on production of a certificate from the said Barrister or Barristers of due attention and application to study.

5. All bonuses and advances shall be paid in England under the orders of the High Commissioner for India.

6. All advances shall be recovered from the pay of the Government employee concerned immediately on his return to duty in India by 12 equal monthly instalments or by instalments of one-third of his monthly pay. The necessary arrangements for the recovery of the money due on return of the Government employee to India will be made by the Chief Accounting Officer to the High Commissioner for India.

FORM OF BOND

KNOW all men by these presents that I _____ of _____ a member of the Punjab Civil Service (Judicial Branch) do hereby bind myself to pay to the Government of the Punjab the penal sum of _____.

Sealed with my seal. Dated this ____ day of _____ 20 ____

WHEREAS the High Commissioner for India on behalf of the Governor of the Punjab has in accordance with the provisions of the orders annexed hereto advanced to the above bounden _____ the sum of _____ being £ _____ in respect of deposits for security and for Commons and Dues and £ _____ in respect of initial fees payable by the above bounden _____ to the _____ on enrolment as a student.

AND WHEREAS _____ has undertaken to pay to the above bounden _____ a bonus of £ 25 for each first class obtained in any of the four examinations comprising Part I, a bonus of £ 50 for a first class in the final examination for the Bar or for obtaining the Langdon Medal, a bonus of £ 25

APPENDIX 20

for obtaining subsequently to a pass in the Final Examination for the Bar an additional First Class in Hindu and Mohammedan Law taken separately (or in the case of Irish Bar a bonus of £ 50 for a first class at each of the two Continuous course of examination and £ 50 for a first class at the final examination), and a bonus of £ 75 in part refund of fees actually paid for reading in the Chambers of a practising Barrister or Barristers.

Now the conditions of the above written obligation are that—

- (a) If in the event of the above bounden _____ not passing the final examination for the Bar before the completion of fifteen years total service under the Punjab Government he shall upon the completion of such period pay to the Punjab Government or to the High Commissioner for India the amounts of such deposits and initial fees, i.e. _____ (or any part thereof which shall not have been previously paid) and any bonuses granted for success in part I (or in the continuous course examinations in the case of the Irish Bar) aforesaid and for reading in the Chambers of a practising Barrister or Barristers;
- Or
- (b) If in the event of the above bounden _____ not rejoining the service in India before the expiration of his leave of absence he shall on the day his leave expires pay to the High Commissioner for India the said amounts and any bonuses granted as specified in condition (a) hereof and also any bonus granted for success in the final examination aforesaid; or
- (c) If in the event of the above bounden _____ rejoining the said service before having passed the said final examination he shall pay the said amounts of deposits and initial fees specified in condition (a) hereof to the Punjab Government by deductions from his pay as provided in the orders annexed hereto and also if in the event of his not passing the aforesaid examination before the completion of the said fifteen years total service he shall upon the completion of such period pay to the Punjab Government or to the High Commissioner for India the amounts of such deposits and initial fees (or any part thereof which shall not have been previously paid) and any bonuses granted as specified in conditions (a) hereof, or
- (d) If in the event of the above bounden _____ not remaining in the said service until he has passed the said final examination or until he has repaid the said sum of £ _____ he shall forthwith upon his ceasing to be in the said service pay to the Punjab Government or to the High Commissioner for India the amounts and any bonuses granted as specified in condition (a) hereof (or any part thereof which shall not have been previously paid); or

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

- (e) If in the event of the above bounden_____rejoining the said service in India after having passed the said final examination before the completion of the said fifteen years total service he shall pay the amounts of deposits and initial fees specified in condition (a) hereof to the Punjab Government by deductions from his pay as provided in the orders annexed hereto; or
- (f) If the above bounden_____dies before repayment of the said amounts specified in condition (a) hereof or any part of such amounts: Provided that all repayment already due from him under the foregoing conditions before his death have been duly made and provided that either the said amounts which may be repayable to the aforesaid or the balance that remains due of the aforesaid amounts to the High Commissioner for India whichever sum shall be the less be paid to the High Commissioner for India.

Then the above-written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

Signed, sealed and delivered by the above bounden_____

In the presence of_____.

APPENDIX 20-A

(Referred to in Note 7 below rule 6.2)

Terms to be granted to Government employees sent abroad for training under the various schemes

1. When Government employees are sponsored by the various Departments of the State Government for training abroad under the various training schemes of the United Nations, the Colombo Plan, etc., and the schemes operated through non-official channels (Rock-Feller Foundation, Ford Foundation, etc.) the grant of deputation terms will be regulated as follows:—

- (i) **Pay:**—The entire period of the Government employee's absence from his post in India will be treated as period of deputation on full pay which he would have drawn had he remained on duty in India.
- (ii) **Dearness Allowance:**—During the entire period of training the Government employee concerned may be allowed to draw dearness allowance at the rate at which he would have drawn it had he not proceeded on deputation abroad. Apart from dearness allowance temporary allowance will also be admissible according to the instructions for the grant of that allowance.
- (iii) **Compensatory Allowance:**—This allowance would also be admissible at the same rate as he would have drawn in India but for his deputation abroad, during the first six months of absence from his post in India subject to the fulfilment of the conditions laid down in rules 5.3 (b) and 5.5 of the Punjab Civil Services Rules, Volume I, Part I. No compensatory allowance will be admissible during the training period beyond six months.
- (iv) **House Rent Allowance or Recovery of Rent:**—This will be at the same rate as he would have drawn in India but for his deputation abroad, during the entire period of his training subject to the fulfilment of the conditions laid down in rules 5.3 (b) and 5.5 of the Punjab Civil Services Rules, Volume I, Part I. If the Government employee concerned is allowed to retain Government accommodation during the period of deputation, the rent therefor should continue to be charged at the same rate at which he would have been normally charged, had the officer not proceeded on deputation.

2. It should be ensured that the period of deputation of officers sent abroad for training is no longer than absolutely necessary.

3. (i) Further, the training of Government employees abroad under the financially aided schemes and under the schemes operated through non-official channels such as Rockefeller Foundation, Ford Foundation etc.; should invariably be at the instance of the Department concerned. In no case should the Government employees themselves approach or negotiate direct with the Foreign Government or Organisations for scholarships. Before sponsoring a case for training abroad under the

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

terms mentioned in para 1 above, it is necessary to ensure that the services of the Government employee concerned will be available to Government at least for a reasonable period, say five years, after the completion of training and that the officer should also possess adequate background of the subject or field in which he would be receiving training. The following conditions should, therefore, generally be satisfied for the grant of deputation terms to a Government employee sponsored by Government for awards under the training Schemes:-

- (a) He should have at least five years to serve after the conclusion of training and is not expected to retire within that period.
- (b) In the case of a Government employee on loan from a Union or State Government or a quasi-Government body, the lending authority should agree to make him available to the Government of Punjab for a period of not less than five years after the conclusion of training, if required.
- (c) In the case of a Government employee in the temporary employ of the Government of Punjab, there should be reasonable chance of his remaining in service for a minimum period of five years after the conclusion of the training and he should be required to give an undertaking in writing that he agrees to serve the Punjab Government for the like period.
- (d) He should have completed a minimum of 5 years' service. The limit may, however, be relaxed in cases where the very nature of the training does not warrant such a restriction e.g. cases where individuals are recruited on the condition that they should undergo training before they are posted to regular duties.
- (e) A period of deputation of 18 months one time should ordinarily be regarded as a suitable maximum in such cases.

(ii) Where a particular scheme provides for any specific conditions to be fulfilled before a person is approved for training, the same should be followed in preference to the general conditions referred to above. For instance, if a scheme prescribes a maximum age limit for the trainees, the same should be adhered to in preference to the general condition of at least five years' service after the conclusion of training laid down in para 3(i) (a) above. Where, however, no specific conditions are laid down by the foreign agency or Government of India, administering the scheme, the general conditions referred to above should invariably be enforced before a person is sponsored for training abroad.

4. The permanent and temporary Government employees deputed abroad for training shall be required to execute bonds in Forms D and E appended to these terms. The bond should be got executed in all cases of deputation on training, irrespective of the periods of training and irrespective also of the fact whether the

APPENDIX 20-A

Government employee is allowed deputation terms under para I above or any other terms.

5. The *lump-sum* amount of refund to be specified in the bond should include all moneys paid to the Government employee concerned or expended on his account e.g. pay and allowances, leave salary, cost of fees, travelling and other expenses, cost of international travel and cost of training abroad met by the foreign Government/agency concerned.

6. An undertaking to the effect that they will not be accompanied by their wives, children or dependents shall be obtained from the trainees before they are sponsored.

7. An undertaking to the effect that the trainee shall not on his own initiative, on arrival or during his stay in the country of training take up the question of extension or variation of his training with the authority responsible for his training abroad shall be obtained from him. He may, however, if he thinks it necessary, approach his sponsors for extension or variation of his training abroad who after necessary consultation with the authority concerned, will decide one way or the other about it. Where the period of training abroad is extended, a Supplementary Bond as given in forms D.I. and E.I. shall be got executed from such Government employees who are granted extension(s) of training. The *lump sum* amount of refund to be specified in the Supplementary Bond should include all the moneys paid to the Government employee concerned or expended on his account during the extended period of training e.g., pay and allowances, leave salary, cost of fees, travelling and other expenses, cost of international travel and cost of training abroad met by the foreign Government/agency concerned.

8. Actual sanctions in individual cases regarding the deputation terms mentioned above shall be issued only in consultation with the Finance Department in accordance with the existing practice.

FORM D

BOND FOR PERMANENT GOVERNMENT EMPLOYEES
PROCEEDING ABROAD ON DEPUTATION FOR TRAINING

KNOW ALL MEN BY THESE PRESENTS THAT I, _____ resident of _____ in the district of _____ at present employed as _____ in the department/office of _____ do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Punjab (hereinafter called the Government) on demand the sum of Rs. _____ (Rupees _____) on account of my having been placed on deputation for training connected with* _____ for the period from _____ to _____ at _____** _____ at

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

the cost of the Government under a foreign aided scheme in terms of Government circular letter No. 3624-(3)-FR II-62/9900, dated the 21st September, 1962 together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India.

Dated this _____ day of _____ two thousand _____.

WHEREAS THE above bounden _____ is placed on deputation by Government.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS SUCH THAT if in the event of the above bounden _____ resigning or retiring from service without returning to duty after the expiry or termination of the period of training or at any time within a period of five years after his return to duty or in the event of his removal or dismissal from service for any kind of misconduct during the prescribed period, he shall forthwith refund to the Government or may be directed by the Government to refund on demand the said sum of Rs. _____ (Rupees _____) on account of his having been placed on deputation as aforesaid together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

* Particulars of the nature of training.

** Name of countries.

AND upon the above bounden _____ making such refund the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Government of Punjab have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the above bounden _____ in the presence of witnesses.

1. _____
2. _____

In witness whereof, these presents having been signed by a duly authorised officer on behalf of the Governor of Punjab and by the other person(s) party thereto.

For and on behalf of the Governor of Punjab.

** _____ ** Designation of the Officer

APPENDIX 20-A

FORM EBOND FOR TEMPORARY GOVERNMENT EMPLOYEES PROCEEDING
ABROAD ON DEPUTATION FOR TRAINING

KNOW ALL MEN BY THESE PRESENTS THAT WE _____ resident of _____ in the district of _____ at present employed as _____ (in the Department/Office of _____ (hereinafter called "the obligor") and Shri _____ son of _____ and Shri _____ son of _____ sureties on his behalf, do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Punjab (hereinafter called "the Government") on demand the sum of Rs. _____ (Rupees _____) on account of obligor having been placed on deputation for training, connected with particulars of the nature of training _____ for the period from _____ to _____ at _____ names of countries at _____ at the cost of the Government under a foreign aided scheme in terms of Government circular letter No. 3624-(3)-FRII-62/9900, dated the 21st September, 1962, together with interest thereon from the date of demand at Government rates for time being in force on Government loans, or if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India.

Dated this _____ day of _____ two thousand _____.

Whereas the above bounden _____ is placed on deputation by the Government.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS SUCH THAT if in the event of the above bounden obligor Shri _____ resigning from service without returning to duty after the expiry of termination of the period of training or at any time within a period of five years after his return to duty or in the event of his removal or dismissal from service for any kind of misconduct during the prescribed period the obligor and the sureties shall forthwith refund to the Government on demand the said sum of Rs. _____ (Rupees _____) on account of the obligor having been placed on deputation as aforesaid together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the above bounden obligor Shri _____ and/or Shri _____ and/or Shri _____ the sureties aforesaid, making such refund

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

the above written obligation shall be void and of no effect; otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS, that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the said obligor before suing the above bounden sureties Shri_____ and Shri_____ or any of them for the amount due hereunder.

The Government of Punjab have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the above bounden_____ in the presence of_____.

Signed and delivered by the surety above named Shri_____ in the presence of_____.

Signed and delivered by the surety above named Shri_____ in the presence of_____.

In witness whereof, these presents having been signed by a duly authorised Officer on behalf of the Governor of Punjab and by the other person(s) party thereto.

For and on behalf of the Governor of Punjab.

Designation of the Officer.

FORM D I

SUPPLEMENTARY BOND FOR PERMANENT GOVERNMENT EMPLOYEES
GRANTED EXTENSION OF DEPUTATION ON TRAINING

KNOW ALL MEN BY THESE PRESENTS THAT I _____ resident of _____ in the district of _____ at present employed as _____ in the Department/Office of _____ do hereby bind myself, and my heirs, executors and administrators to pay to the Governor of Punjab (here-in-after called "the Government") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or if payment is made in a country other than India, the equivalent of the said

APPENDIX 20-A

amount in the currency of that country converted at the official rate of exchange between that country and India.

Dated this _____ day of _____ two thousand _____.

WHEREAS THE above bounden _____ was placed on deputation on training by Government for the period from _____ to _____ in consideration of which a bond, dated _____ for Rs. _____ was executed by him in favour of the Governor of Punjab.

AND WHEREAS at the request of the above bounden _____ the period of deputation on training is extended from _____ to _____ at _____ (names of countries) at the cost of the Government under the Foreign Aided Scheme, in terms of Punjab Government circular letter No.3624-(3)-FRII/62/9900, dated the 21st September, 1962.

AND WHEREAS in consideration of the Government having agreed to extend the period of deputation on training at its cost on the request of the above bounden _____ the above bounden has agreed to execute the supplementary bond on the conditions hereinafter mentioned.

Now the condition of the above written obligation is that in the event of the above bounden resigning or retiring from service without returning to duty after the expiry or termination of the period of training so extended or at any time within a period of five years after his return to duty or in the event of his removal or dismissal from service for any kind of misconduct during the prescribed period, he shall forthwith refund to the Government on demand the said sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the above bounden _____ making such refund the above written obligation shall be void and of no effect, otherwise the same shall be and remain in full force and virtue.

The Government have agreed to bear the stamp duty payable on this bond.

In witness whereof, these presents have been signed by a duly authorised officer on behalf of the Governor of Punjab and by the other person(s) party thereto.

Signed and delivered by the above
bounden _____ in the
presence of witnesses:—

Signature _____
Date _____
Place _____

1. Signature _____

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Name _____

Address _____

2. Signature _____

Name _____

Address _____

For and on behalf of Governor of Punjab.

*Signature _____

Date _____

Place _____

*Designation of Officer
signing the bond

FORM E-I

SUPPLEMENTARY BOND FOR TEMPORARY GOVERNMENT
EMPLOYEES GRANTED EXTENSION OF DEPUTATION ON TRAINING

KNOW ALL MEN BY THESE PRESENTS THAT WE _____ resident of _____ in the District of _____ at present employed as _____ in the Department/Office of _____ (hereinafter called "the obligor") and Shri _____, son of _____ and Shri _____, son of _____ sureties on his behalf do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Punjab (here in after called "the Government") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India.

Dated this _____ day of _____ Two thousand and _____.

WHEREAS THE above bounden _____ was placed on deputation on training by Government for the period from _____ to _____ in consideration of which a bond, dated _____ for Rs. _____ was executed by him in favour of the Governor of Punjab.

APPENDIX 20-A

AND WHEREAS at the request of the above bounden_____the period of deputation on training is extended from_____to_____at_____ (names of countries) at the cost of the Government under the Foreign Aided Scheme, in terms of Punjab Government circular letter No. 3624-(3)-FR II-62/9900, dated 21st September, 1962.

AND WHEREAS in consideration of the Government having agreed to extend the period of deputation on training at its cost on the request of the above bounden_____the above bounden has agreed to execute the supplementary bond on the conditions hereinafter mentioned.

Now the condition of the above written obligation is that in the event of the above bounden obligor Shri_____resigning from service without returning to duty after the expiry or termination of the period of training so extended or at any time within a period of five years after his return to duty or in the event of his removal or dismissal from service for any kind of misconduct during the prescribed period, the obligor and the sureties shall forthwith refund to the Government on demand the said sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the above bounden obligor Shri_____and/or Shri_____and/or Shri_____the sureties aforesaid, making such refund the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the said obligor before suing the above bounden sureties Shri_____and Shri_____or any of them for the amount due hereunder.

The Government have agreed to bear the stamp duty payable on this bond.

In witness whereof, these presents have been signed by a duly authorised Officer on behalf of the Governor of Punjab and by the other person(s) party thereto.

Signed and delivered by the above bounden_____in the presence of_____. Signature_____

Signature of witness_____ Date_____ (Obligor)

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

Signed and delivered by the surety above
named Shri _____
in the presence of _____

Signature _____
(Surety)
Date _____

Signature of witness _____

Signature _____

Surety above named Shri _____
_____ in the presence of

(Surety)
Date _____

Signature of witness _____

For and on behalf of the Governor of Punjab

Signature _____

Designation of Officer signing the bond _____

Date: _____

APPENDIX-21

Omitted

APPENDIX 22

(Referred to in rule 5.32 of Punjab Civil Services Rules, Volume II)

THE PUNJAB CIVIL SERVICES (PREMATURE RETIREMENT) RULES, 1975

Rules framed by the Punjab Government under article 309 of the Constitution of India and all other powers and with the previous approval of the Central Government under sub-section (7) of section 115 of the States Re-organisation Act, 1956 and sub-section (6) of section 82 of the Punjab Re-organisation Act, 1966.

1. Short title and commencement:—

(1) These rules may be called the Punjab Civil Services (Premature Retirement) Rules, 1975.

(2) They shall come into force at once.

(3) They shall also apply to the Secretariat Staff of the Legislative Assembly.

2. Definitions:—In these rules, unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say—

(1) “appropriate authority” means the authority which has the power to make substantive appointments to the post or service from which the Government employee is required or wants to retire or any other authority to which it is subordinate.

(2) “employee” means any person appointed to public services and posts in connection with the affairs of the State of Punjab, excluding those listed in rule 7.

(3) “qualifying service” means service qualifying for pension.

3. Premature Retirement.—

(1) (a) The appropriate authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right, by giving an employee prior notice in writing, to retire that employee on the date on which he completes fifteen years or twenty years or twenty five years or thirty years or thirty five years, as the case may be, of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice.

(b) The period of such notice shall not be less than three months:

Provided that where at least three months’ notice is not given or notice for a period less than three months is given, the employee shall be entitled to claim a sum equivalent to the amount of his pay and allowances, at the same rates at which he was drawing them immediately before the date of retirement, for a period of three months, or, as the case may be, for the period by which such notice falls short of three months.

 APPENDIX 23

(2) Any Government employee may, after giving at least three months' previous notice in writing to the appropriate authority retire from service on the date on which he completes twenty-five years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice:

Provided that no employee under suspension shall retire from service except with the specific approval of the appropriate authority.

(3) (a) At any time after an employee has completed twenty years of qualifying service, he may, by giving notice of not less than three months in writing to the appropriate authority, retire from service.

(b) The notice of voluntary retirement given under this sub-rule shall require acceptance by the appropriate authority.

(c) Where the appropriate authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

(4) The employee, who has elected to retire under sub-rule (2) or sub-rule (3) and has given the necessary notice to that effect to the appropriate authority, shall be precluded from withdrawing his notice except with the specific approval of the appropriate authority:

Provided that the request for withdrawal shall be made before the intended date of his retirement.

Note 1.—An employee may make a request, in writing, to the appropriate authority to accept notice of less than three months giving reasons therefor and such a request for the curtailment of the period of notice shall be considered on merit and if the appropriate authority is satisfied that such curtailment will not cause any administrative inconvenience it may relax the requirement of notice of three months on the condition that the employee shall not apply for commutation of a part of his pension before the expiry of the notice period of three months.

Note 2.—If an employee retires under sub-rule (2) or (3) above while he is on leave not due, without returning to duty, the retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered as provided in rule 8.119(d) of the Punjab Civil Services Rules, Volume I, Part I.

Note 3.—In computing the notice period of three months referred to in rule 3, the date of service of the notice and the date of its expiry shall be excluded.

4. Retiring Pension and gratuity.—(1) A retiring pension and death-cum-retirement gratuity shall be granted to a Government employee who retires or is required to retire under rule 3.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

(2) (i) While granting proportionate pension and gratuity to an employee retiring under sub-rule (2) or sub-rule (3) of rule 3, as the case may be, his qualifying service, as on the date of intended retirement shall be increased by a period not exceeding five years, so however, that the total qualifying service of the employee as so increased shall not in any case exceed thirty-three years or the period of qualifying service which the employee would have completed had he retired on the date of his superannuation, whichever be less.

(ii) The weightage of five years under clause (i) shall not be admissible in cases of those Government employees who are prematurely retired by the appropriate authority in public interest under sub-rule (1) of rule 3.

(3) The pension and gratuity of the employee retiring under sub-rule (2) or sub-rule (3) of rule 3, as the case may be, shall be based on the emoluments as defined in rule 6.19-C and 6.24 of the Punjab Civil Services Rules, Volume II, and the increase in his qualifying service under sub-rule (2) shall not entitle him to any notional fixation of pay for purposes of calculating pension and gratuity.

(4) The amount of pension to be granted after allowing increase in the qualifying service under sub-rule (2) shall be subject to the provisions of rules 2.2 and 6.4 of the Punjab Civil Services Rules, Volume II.

5. Overriding effect.—The provisions of these rules shall have effect notwithstanding anything inconsistent therewith contained in any other rules for the time being in force.

6. Repeal.—All rules regulating the conditions of service as respects premature retirement of persons appointed to public services and posts in connection with the affairs of the State of Punjab, in force immediately before the commencement of these rules, are hereby repealed:

Provided that—

- (a) such repeal shall not affect the previous operation of the rules hereby repealed or anything done, or any action taken, thereunder ;
- (b) any proceedings under the rules hereby repealed, pending at the commencement of these rules shall be continued and disposed of in accordance with the provisions of these rules as if such proceedings were proceedings under these rules.

7. Saving.—Nothing in these rules shall apply to the members of the All India Services.

8. Interpretation.—If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Governor or such other authority, as may be specified by the Governor by a general or special order and the Governor or such other authority shall decide it.

APPENDIX- 23

THE GOVERNMENT EMPLOYEES (CONDUCT) RULES, 1966

(RULES FRAMED BY THE PUNJAB GOVERNMENT UNDER
ARTICLES 309 AND 318 OF CONSTITUTION OF INDIA)

1. Short title, commencement and application.— (1) These rules may be called the Government Employees (Conduct) Rules, 1966.

(2) They shall come into force at once.

(3) They shall apply to all persons appointed to Civil Services and posts in connection with the affairs of the State :

Provided that nothing in these rules shall apply to –

- (a) members of the All India Services who are subject to the All India Services (Conduct) Rules, 1954: and
- (b) holders of any post in respect of which the Governor may, by general or special order, declare that these rules do not apply.
- (c) employees of the Punjab State when on deputation to another State Government or Central Government. During the period of deputation they shall be governed by the corresponding rules of the borrowing Government.

2. Definitions.— In these rules, unless the context otherwise requires.—

- (a) ‘the Government’ means the Government of the State of Punjab ;
- (b) ‘Government employee’ means any person appointed to any Civil Service or post in connection with the affairs of the State of Punjab.

Explanation.—A Government employee whose services are placed at the disposal of a company, corporation, organisation or a local authority by the Government shall for the purposes of these rules, be deemed to be a Government employee serving under the Government notwithstanding that his salary is drawn from sources other than from the Consolidated Fund of the State.

- (c) “members of family” in relation to a Government employee includes—
 - (i) the wife or the husband, as the case may be, of the Government employee, whether residing with the Government employee or not but does not include a wife or husband, as the case may be separated from the Government employee, by a decree or order of a competent court ;

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

- (ii) son or daughter or step-son or step-daughter of the Government employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the Government employee or of whose custody the Government employee has been deprived by or under any law ;
 - (iii) any other person related, whether by blood or marriage to the Government employee or to the Government employee's wife or husband and wholly dependent on the Government employee.
- (d) 'prescribed authority' means:–
- (a) (i) The Government, in the case of Head of Department and all other officers having the same designation as that of their Head of Department prefixed by the word "Additional" or "Joint" ; and
 - (ii) Head of Department, in case of a Government employee holding any Class I post or any Class II post excepting those referred to in item (i) :
 Provided that if in a case involving a Class I officer any sanction is proposed to be declined, the Government shall be the prescribed authority.
 - (iii) Head of office in the case of Government employees holding any Class III or Class IV post ;
 - (iv) The Chairman of the Punjab Legislative Council in the case of the Secretary of the said Council and the Secretary in the case of all other employees of the Legislative Council ;
 - (v) The Speaker of the Punjab Vidhan Sabha in the case of the Secretary of the said Sabha and the Secretary in the case of all other employees of the Vidhan Sabha ;
 - (b) In respect of the Government employee on foreign service, the parent department on the cadre of which such Government employee is borne or the department to which he is administratively subordinate as member of that cadre.

Explanation.–Foreign service for the purpose of this sub-rule means service in which a Government employee receives his substantive pay with the sanction of Government from any source other than the revenues of the Union or a State Government.

3. General– (1) Every Government employee shall at all times–

- (i) maintain absolute integrity ;
- (ii) maintain devotion to duty ;

APPENDIX 23

- (iii) do nothing which is unbecoming of a Government employee; and
- (iv) intimate his latest permanent as well as temporary address to his appointing authority.

(2) (i) Every Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government employees for the time being under his control and authority.

(ii) No Government employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior.

(iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter.

(iv) A Government employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

Explanation I.—Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

Explanation II.—Without prejudice to the provisions contained in this rule, no action will be initiated against any Government Employee for not carrying out oral instructions of his official superior in individual cases, relating especially to postings and transfers, giving of loans, permits, or quotas and similar other matters.

Explanation III.—A Government employee, who habitually fails to perform the work assigned to him within the time fixed for the purpose and with the quality of performance expected of him, shall be deemed to be lacking in devotion to duty within the meaning of clause (ii) of sub-rule (2) .

3-A. Promptness and Courtesy.—No Government employee, in the performance of his duties, shall, act in a discourteous manner ; and adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him in official dealings with public or otherwise.

3-B. Observance of Government's Policies.—Every Government employee shall, at all times—

- (i) act in accordance with the policies of the Government regarding age, marriage, preservation of environment, protection of wildlife and cultural heritage ;
- (ii) observe the policies of Government regarding prevention of crime against women.

4. Employment of near relatives of Government employees in Companies or Firms.— (1) No Government employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.

(2) (i) No Class I Officer shall, except with the previous sanction of the prescribed authority, permit his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government:

Provided that where the acceptance of the employment cannot await prior permission of the prescribed authority or is otherwise considered urgent, the matter shall be reported to the prescribed authority and the employment may be accepted provisionally subject to the permission of the prescribed authority.

(ii) A Government employee shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that company or firm:

Provided that no such intimation shall be necessary in the case of Class I Officer if he has already obtained the sanction of, or sent a report to the prescribed authority under clause (i).

(3) No Government employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Government employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

5. Taking part in politics and elections.— (1) No Government employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Government employee to endeavour to prevent any member of his family from taking part in subscribing in aid of or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive

APPENDIX 23

of the Government as by law established and where a Government employee is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the prescribed authority.

(3) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.

(4) No Government employee shall canvass or otherwise canvass, interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority:

Provided that—

- (i) a Government employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted ;
- (ii) a Government employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a Government employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. Joining of Associations by Government employees:—No Government employee shall join, or continue to be a member of, an association the objects or activities of which are prejudicial to the interest of sovereignty and integrity of India or public order or morality.

7. Demonstration and Strikes.—No Government employee shall—

- (i) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or
- (ii) resort to or in any way abet any form of strike or coercion or physical duress in connection with matter pertaining to his service or the service of any other Government employee.

8. Connection with Press or Radio.—(1) No Government employee shall except with the previous sanction of the prescribed authority, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or in Electronic media.

(2) No Government employee shall, except with the previous sanction of the Government or of the prescribed authority or except in the *bona fide* discharge of his duties participate in the radio broadcast or contribute an article or write a letter to a newspaper or periodical either in his own name or anonymously or pseudonymously or in the name of any other person:

Provided that no such sanction shall be required if such contribution, broadcast or writing is of a purely literary, artistic or scientific character.

9. Criticism of Government.—No Government employee shall in any radio broadcast or electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance make any statement of fact or opinion—

- (i) which has the effect of any adverse criticism of any current recent policy or action of the Government of India, Government of Punjab or any other State Government;
- (ii) which is capable of embarrassing the relations between the Government of Punjab and the Government of India or the Government of any other State in India; or
- (iii) which is capable of embarrassing the relations between the Government of India or the Government of Punjab and the Government of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by a Government employee in his official capacity or in the due performance of the duties assigned to him.

10. Evidence before Committee or any other authority.—(1) Save as provided in sub-rule (3), no Government employee shall, except with the previous sanction of the prescribed authority, give evidence in connection with any enquiry conducted by any person, Committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) no Government employee giving such evidence shall criticise the policy or any action of the Government of India, Government of Punjab or any other State Government.

(3) Nothing in this rule shall apply to : —

- (a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or
- (b) evidence given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

APPENDIX 23

11. Unauthorised Communication of information.—No Government employee shall except in accordance with the Right to Information Act, 2005 or the rules made thereunder or any general or special order of the Government or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or any information to any Government employee or any other person to whom he is not authorised to communicate such document or information.

12. Subscriptions.—No Government employee shall, except with the previous sanction of the Government or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

13. Gifts.—(1) Save as otherwise provided in these rules, no Government employee shall accept or permit any member of his family or any other person acting on his behalf to accept, any gift.

Explanation.—The expression ‘gift’ shall include free transport, boarding, lodging, or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the Government.

Note (I). A casual meal, gift or other social hospitality shall not be deemed to be a gift.

Note (II). A Government employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organisations, etc.

(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a Government employee may accept gifts from his near relatives but shall make a report to the prescribed authority if the value of any such gift exceeds –

- (i) Rs. 7,000 in the case of a Government employee holding any Group ‘A’ post ;
- (ii) Rs. 4,000 in the case of a Government employee holding any Group ‘B’ post ;
- (iii) Rs. 2,000 in the case of a Government employee holding any Group ‘C’ post ; and
- (iv) Rs. 1,000 in the case of a Government employee holding any Group ‘D’ post.

(3) On such occasions as are specified in sub-rule (2), a Government employee may accept gifts from his personal friends having no official dealing with him, but he

 THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

shall make a report to the prescribed authority if the value of any such gift exceeds :—

- (i) Rs. 7,000 in the case of a Government employee holding any Group ‘A’ post;
- (ii) Rs. 4,000 in the case of a Government employee holding any Group ‘B’ post;
- (iii) Rs. 2,000 in the case of a Government employee holding any Group ‘C’ post; and
- (iv) Rs. 1,000 in the case of a Government employee holding any Group ‘D’ post.

(4) In any other case, a Government employee shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the prescribed authority, if the value thereof exceeds —

- (i) Rs. 1,500 in the case of a Government employee holding any Group ‘A’ or Group ‘B’ post ; and
- (ii) Rs. 500 in the case of a Government employee holding any Group ‘C’ or Group ‘D’ post.

13A. Prohibition to give, take or demand dowry.—No Government employee shall: —

- (i) give or take or abet the giving or taking of dowry ; or
- (ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation.—For the purpose of this rule, ‘dowry’ has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

14. Public demonstration in honour of Government employee.—No Government employee shall, except with the previous sanction of the prescribed authority receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government employee:

Provided that nothing in this rule shall apply to —

- (1) a farewell entertainment of a substantially private and informal character held in honour of a Government employee or any other Government employee on the occasion of his retirement or transfer of any person who has recently quit the service of any Government; or
- (2) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

Note.—Exercise of pressure or influence of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Class III or Class IV

APPENDIX 23

employees under any circumstances for the entertainment of any Government employee not belonging to Class III or Class IV, is forbidden.

15. Private trade or employment.—(1) No Government employee shall except with the previous sanction of prescribed authority engage directly or indirectly in any trade or business or negotiate for or undertake any other employment:

Provided that a Government employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake, or shall discontinue such work if so directed by the prescribed authority:

Provided further that if the undertaking of any such work involves holding of any elective office, he shall not seek election to any such office without the previous sanction of the Government.

Explanation.—Canvassing by a Government employee in support of the business of insurance agency, commission agency, etc. owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.

(2) Every Government employee shall report to the prescribed authority if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(3) No Government employee shall, without the previous sanction of the prescribed authority, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or any co-operative society for commercial purposes:

Provided that a Government employee may take part in the registration, promotion or management of –

- (i) a literary, scientific or charitable society or of a company, club or similar organisation the aims and objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 or the Companies Act, 1956 or any other law for the time being in force; or
- (ii) a co-operative society, substantially for the benefit of Government Employees registered under the Punjab Co-operative Societies Act, 1961 or any other law for the time being in force.

(4) No Government employee may accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

15-A. Sub-Letting and Vacation of Government Accommodation.—(1) Save as otherwise provided in any other law for the time being in force, no Government employee shall sub-let, lease or otherwise allow occupation by any other person of the Government accommodation which has been allotted to him.

(2) A Government employee, after the cancellation of the Government accommodation allotted to him, shall vacate the same within the time-limit prescribed by the allotting authority.

16. Investment, lending and borrowing.—(1) No Government employee shall speculate in any stock, share or other investment.

Explanation.—Frequent purchase or sale or both of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

(2) No Government employee shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2) the decision of the prescribed authority thereon shall be final.

(4) (i) No Government employee shall, without previous sanction of the prescribed authority, either himself or through any member of his family or any other person acting on his behalf :—

- (a) lend or borrow money, as principal or agent, to or from any person including Bank and Financial Institution or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person, or
- (b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid;

Provided that a Government employee may, give to or accept from a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a *bonafide* tradesman or make an advance of pay to his private employee but such amount shall not exceed twelve months emoluments for the construction of house or purchase of built up house and six months emoluments for the purchase of conveyance and other purposes;

- (ii) When a Government employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

APPENDIX 23

17. Insolvency and habitual indebtedness.—A Government employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the prescribed authority.

Note.—The burden of proving that the insolvency or indebtedness was the result of circumstances which with the exercise of ordinary diligence, the Government employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the Government employee.

18. Movable, Immovable and Valuable Property.—(1) (i) Every Government employee shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding—

- (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
- (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him;
- (c) other movable property inherited by him or similarly owned, acquired or held by him;
- (d) debts and other liabilities incurred by him directly or indirectly.

Note I.—Sub-rule (1) shall not ordinarily apply to Class IV employees, but the Government may direct that it shall apply to any such Government employee or class of such Government employees.

Note II.—In all returns, the value of items of immovable property worth less than Rs. 10,000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc. need not be included in such return.

Note III.—Where a Government employee already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

(ii) Every Government employee belonging to any service or holding any post in Class I or Class II shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

(2) Every Government Employee shall report to the prescribed authority each transaction of moveable or immovable property made by way of lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family, if the actual cost of such transaction exceeds one month's gross salary of such employee.

(3) Omitted

(4) The Government or the prescribed authority may at any time by general or special order, require a Government employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf by any member of his family as may be specified in the order. Such statement shall, if so required by the Government or by the prescribed authority, include the details of the means by which or the source from which, such property was acquired.

(5) The Government may exempt any category of Government employee belonging to Class III or Class IV from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Chief Secretary to Government, Punjab (in Services Department).

Explanation I.—For the purpose of this rule—
the expression “movable property” includes—

- (i) jewellery, insurance policies, the annual premia of which exceed Rs.10,000 or one-sixth of the total annual emoluments received from Government whichever is less, share, securities and debentures ;
- (ii) loans and advances by such Government employee whether secured or not; and
- (iii) motor-cars, motor-cycles, horses, or any other means of conveyance; and
- (iv) refrigerators, radios, radiograms and television sets.

Explanation II.—For the purpose of this rule, “lease” means, except where it is obtained from or granted to a person having official dealing with the Government employee, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

18A.—Restriction in relation to acquisition and disposal of immovable property outside India and transactions with foreigner etc.—Notwithstanding anything contained in sub-rule (2) of rule 18, no Government employee shall except with the previous sanction of the prescribed authority –

APPENDIX 23

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;
- (b) dispose of, by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern—
 - (i) for the acquisition, by purchase, mortgage, lease, gift, or otherwise either in his own name or in the name of any member of his family of any immovable property;
 - (ii) for the disposal of, by sale, mortgage, gift, or otherwise or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

19. Vindication of acts and Character of Government employees.—(1) No Government employee shall, except with the previous sanction of the prescribed authority have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character:

Provided that if no such sanction is received by the Government employee within a period of three months from the date of receipt of his request by the Government, he shall be free to assume that the permission as sought for, has been granted.

(2) Nothing in this rule shall be deemed to prohibit a Government employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the Government employee shall submit a report to the prescribed authority regarding such action.

20. Canvassing of non-official or other influence.—No Government employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government.

21. Restriction regarding marriage.—(1) No Government employee who has a wife living shall contract another marriage without first obtaining the permission of the Government, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

THE PUNJAB CIVIL SERVICES RULES VOLUME I (PART II)

(2) No female Government employee shall marry any person who has a wife living without first obtaining the permission of the Government.

(3) A Government employee who has married or marries a person other than of Indian Nationality, shall forthwith intimate the fact to the Government.

21-A. Omitted.

22. Consumption of intoxicating drinks and drugs.—A Government employee shall—

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duty at any time is not affected in any way by the influence of such drink or drug; and
- (bb) refrain from consuming any intoxicating drink or drug in a public place;
- (c) not appear in a public place in a state of intoxication;
- (d) not use any intoxicating drink or drug to excess.

Explanation.—For the purpose of this rule, ‘public place’ means any place or premises (including a conveyance) to which the public have, or are permitted to have, access whether on payment or otherwise.

22-A. Prohibition of sexual harassment of working women.—

- (1) No Government employee shall indulge in any act of sexual harassment of any woman at her work place.
- (2) Every Government employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

Explanation.—For the purpose of this rule, ‘sexual harassment’ includes such unwelcome sexually determined behaviour, whether directly or otherwise, as—

- (a) physical contact and advances;
- (b) demand or request for sexual favours;
- (c) sexually coloured remarks;
- (d) showing any pornography; or
- (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

22-B. Prohibition from employing Children below the age of 14 years.—No Government employee shall employ to work, any Child below the age of 14 years.

APPENDIX 23

23. Interpretation.—If any question arises relating to the interpretation of these rules, it shall be referred to the Chief Secretary to Government, Punjab (in Services Department) whose decision thereon shall be final.

24. Delegation of powers.—The Government may, by general or special order, direct that any power exercisable by it or any head of the department under these rules (except the power under rule 23 and this rule) shall subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repealed and saving.— Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Government employees to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

APPENDIX 24

Omitted

FORMS

FORMS

TABLE OF FORMS

No. of Form	Rule in which referred	Description	Pages
PB. C.S.R. NO. I	Note below rule 1.4	Model Form of Agreement for use in the case of Government employees engaged on contract	135-137
PB. C.S.R. NO. 2	Note below rule 8.4	Application for leave	138-139
PB. C.S.R. NO. 3-15	....	Omitted	....
PB. C.S.R. NO. I6	8.50	Form of Leave Account under the Revised Leave Rules.	141-142

FORMS

FORM PUNJAB C.S.R. No.1
(Referred to in Note to rule 1.4)

Model Form of Agreement for use in the case of Government employees engaged on contract

AGREEMENT

ARTICLES OF AGREEMENT is made on this____day of____Two Thousand____BETWEEN____son of Shri _____at present residing at_____(hereinafter referred to as party of the first part) and the GOVERNOR OF PUNJAB (hereinafter referred to as "The Government") of the second part.

WHEREAS it has been agreed between the parties that the party of the first part shall be appointed as_____in the Department/Office of_____with effect from_____ for a period of_____year (s) or until further orders on contract basis on the terms and conditions herein contained.

NOW THESE PRESENTS WITNESSETH AND THE PARTIES HERETO RESPECTIVELY AGREE AS FOLLOWS:–

1. The Government has agreed to engage the party of the first part and the party of the first part has agreed to serve the Government as_____in the Department/Office of_____with effect from_____ for a period of _____year(s) or until further orders on contract basis on the terms and conditions herein contained. The party of the first part shall submit himself to the orders of the Government and of the officers and authorities under whom he may from time to time be placed by the Government and shall remain in the service subject to the provisions herein contained.

2. The party of the first part shall devote his whole time to his duties and shall, whenever required, proceed to any part in or outside the State of Punjab and perform such duties as may be assigned to him by the Government. He/she shall not accept any other appointment, paid or otherwise and shall not engage himself/herself in private practice of any kind during the period of contract.

3. The appointment of the party of the first part as_____in the Department/Office of_____shall continue for a period of _____year (s) or until further orders of the Government, subject to the provisions contained in the following clause 4.

4. The service of the party of the first part may be terminated by giving one month's notice in writing any time during the terms of the appointment under this

FORMS

Agreement either by the party of the first part to the Government or by the Government or its authorised officer to the party of the first part without assigning any reasons whatsoever.

5. The party of the first part shall, receive an all-inclusive fixed monthly remuneration of Rs. _____ (Rupees _____ only) and no other allowance, whatsoever, shall be payable to him. The aforesaid fixed monthly remuneration shall be paid to the party of the first part for such time as he shall serve under this Agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service or on the date of his discharge therefrom or on the expiration of his term of service under this Agreement or on the day of his death, if he shall die whilst in service. He shall not be entitled to any allowances, financial benefits or concessions as admissible to regular Government employees.

6. Notwithstanding anything hereinbefore, if the party of the first part is required to travel in the interest of the public service, he shall be entitled to traveling allowance on the scale provided in the Punjab Civil Services Rules Volume III (Travelling Allowance Rules), as amended from time to time and applicable in the case of corresponding permanent employees of the lowest grade.

7. The party of the first part shall be entitled, subject to the exigencies of public service, to casual leave of ten days during a year and in addition, he shall be entitled to leave under the provisions of rule 8.57 of Punjab Civil Services Rules, Volume I, Part I read with Appendix-16 of Punjab Civil Services, Volume I, Part II.

8. The appointment of the party of the first part is purely contractual in nature and does not confer upon him any right for regularisation or permanent absorption in Government service. He shall not be entitled to any benefit like leave encashment, Provident Fund, Pension, Gratuity, Medical Allowance, Seniority, Promotion etc. or any other benefits available to the Government employees appointed on regular basis. However, if the Government so desires, he may be required to subscribe to the National Pension Scheme.

9. In respect of any matter relating to the conduct, discipline and other conditions of service and in respect of which no provision has been made in this Agreement, the provisions of the Government Employees (Conduct) Rules, 1966 and the Punjab Civil Services (Punishment and Appeal Rules), 1970, or any other rules made or deemed to be made under article 309 of the Constitution of India, shall apply to the party of the first part to the extent to which they are applicable to the service hereby provided for and the decision of the Government as to their applicability shall be final.

 FORMS

10. If any declaration given or information furnished by the party of the first part proves to be false or if he is found to have wilfully suppressed any material information, he shall be liable for removal from service and also such other action as the Government may deem necessary.

11. The stamp duty payable on this Agreement shall be borne by the Government.

IN WITNESS WHEREOF, the parties hereto have hereunto set and subscribe their respective hands and seal, the day and year herein above written.

Executed by Shri _____
 at _____
 Name _____
 Designation _____
 Address _____

WITNESSES

1. _____
 2. _____

Executed for and on behalf of the
 Governor of Punjab through _____
 at _____

Name _____
 Designation _____
 Address _____

WITNESSES

1. _____
 2. _____

FORMS

FORM PUNJAB C.S.R. No. 2

(Referred to in Note to Rule 8.4)

APPLICATION FOR LEAVE OF _____

Note.— Items 1 to 11 must be filled in by all applicants.

1. Name of applicant
2. Leave Rules applicable
3. Post held
4. Department, office and section
5. Pay
6. House-rent Allowance, Conveyance Allowance or other compensatory allowance drawn in the present post.
7. Nature and period of leave applied for and date from which required.
8. Sundays and holidays, if any proposed to be prefixed/suffixed to leave.
9. Ground on which leave is applied for.
10. Date of return from last leave, and the nature and period of that leave.
11. Address during leave.
12. (a) I undertake to refund the difference between the leave salary drawn during leave on full pay commuted leave and that admissible during leave on half pay which would not have been admissible had the rule 8.119(c) of the Punjab Civil Services Rules, Volume I, Part I, not been applied in the event of my retirement from service at the end or during the currency of the leave.
(b) I undertake to refund the leave salary drawn during “leave not due” which would not have been admissible, had rule, 8.119(d) of the Punjab Civil Services Rules, Volume I, Part I, not been applied, in the event of my voluntary retirement or resignation from service at any time until I earn half pay leave not less than the amount of leave not due availed of by me.

Signature of applicant
(with date)

 FORMS

13. Remarks and/or recommendations of the controlling officer.

(Signature with date)
Designation

Certificate regarding admissibility of leave

14. Certified that _____

(Nature of leave)

for _____ from _____ to _____ is admissible under

(Period)

rule _____ of the _____ Rules.

Signature (with date)
Designation

*15. Orders of the sanctioning authority.

Signature (with date)
Designation

*If the applicant is drawing any compensatory allowance, the sanctioning authority should state whether on the expiry of leave he is likely to return to the same post or to another post carrying a similar allowance.

FORMS

FORMS PB. C.S.R. 3 to 15

Omitted.

FORM PB. C. S. R. No.16

(Referred to in rule 8.50)

Form of Leave AccountGovernment employees subject to Revised Rules (as modified with effect from 1st July, 1959)

Name of Government employee _____ Date of birth _____
 Date of commencement of continuous service _____ Date of compulsory retirement _____

EARNED LEAVE									HALF PAY LEAVE					HALF PAY LEAVE ON PRIVATE AFFAIRS AND ON MEDICAL CERTIFICATE												
Duty			Leave earned (in days)	Leave at credit (in days)	Leave taken			Balance on return from leave	Length of Service			Credit of Leave		Leave on private affairs or on Medical Certificate			Commutated Leave on medical on full pay (Limited to 240 days in entire service)			Commutated leave converted into half pay leave (twice of col. 20)	Leave not due on Medical Certificate Limited to 360 days in entire service			Total half pay leave taken (col.17 plus 21 plus 24)	Balance on return from leave (cols.14-25)	Remarks
From	To	No. of days			From	To	No. of days		From	To	No. of completed years of service	Leave earned (in days)	Leave at Credit (Cols. 26+13)	From	To	No. of days	From	To	No. of days		From	To	No. of days			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27

INSTRUCTIONS

1. This form comes into effect from 1st July, 1959.
2. Omitted.
3. Periods of Extraordinary leave taken should be noted in red ink in column 27 for remarks.

FORMS

4. The entries in columns 10 and 11 should indicate only the beginning and end of completed years of service at the time the half pay leave commences. In cases where a Government employee completes another year of service while on half pay leave, the extra credit should be shown in columns 10 to 14 by making suitable additional entries and this should be taken into account when completing column 26.

5. Whenever the rate of earning leave changes, the fraction in the earned leave accumulated at an earlier rate should be rounded off to the nearest day, i.e. fraction below half should be ignored and that of half or more should be reckoned as a day.

6. For different rates of earning leave during different spans of service rule 8.116 (i) of the Punjab C. S. R. Volume I, Part I, may be referred to.

7. Omitted.

**GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE**

THE PUNJAB CIVIL SERVICES RULES

Volume I

**Rules relating to Pay and Allowances, Leave, Joining Time and other General
Conditions of Services**



**PART II – APPENDICES AND FORMS
(Fourth Edition)**

(As amended up to 31st January, 2016)

**Issued by the authority of Government of Punjab, Department of Finance
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TABLE OF CONTENTS

	Pages
Appendices	1-132
Forms	133-142

APPENDICES

Index to Appendices

No. of Appendix	Rule in which referred	Subject	Pages
1	1.1, 1.2 (b) (1), (2), (3) and 1.3	Extracts from the various articles of the Constitution of India.	1-4
2	1.4 (iii)	List of Government employees employed occasionally or who are liable to discharge at one month.	5-14
3 to 6	Omitted.	...	...
7	Note 4 to Rule 5.35	List of Government employees granted rent free quarters.	16-26
8	Note 5 to Rule 5.57	Rules regulating the acceptance of fees by Government medical officers from private persons or bodies or public bodies for services other than professional attendance	27-44
8-A	Note 6 to Rule 5.57	Rules for payment of fees to expert witnesses summoned in criminal courts	45-51
9.	Note 1 to Rule 5.64	General instructions for regulating the patenting of inventions made by Government employees whose duties involve the carrying out of scientific or technical research	52-57
10	Omitted.	...	...
11.	Referred to in note to Rule 8.3, Note to Rule 8.48 and Note to Rule 12.1	Instructions regarding Leave Procedure and Maintenance of Service Record	59-67
12.	8.23	Authorities empowered to grant leave other than leave on medical certificates under rule 8.18, special disability leave, study leave and extraordinary leave exceeding three months under rule 8.137 subject to the conditions prescribed in Rule 8.23 of Volume I, Part I	68
13-15	Omitted.	...	...

No. of Appendix	Rule in which referred	Subject	Pages
16.	Note to Rule 8.57	Model terms for the grant of leave to Government employees engaged on contract	70-71
17.	8.61	Rules for the grant of casual and quarantine leave	72-77
18.	Note to paragraph 2 of Annexure I to Section I of Chapter VIII	List of Government employees serving in Vacation Departments	78-79
19.	Omitted.	...	...
20.	Note to Rule 8.126	Rules relating to the grant of additional leave to Government employees for the study of scientific, technical or similar problems, or for undertaking special courses of instruction	81-102
20A	Note 7 below rule 6.2	Terms to be granted to Government employees sent on training abroad under the various training schemes	103-112
21	Omitted.	...	...
22.	Rule 5.32 of Punjab C.S.R. Volume II	The Punjab Civil Services (Premature Retirement) Rules, 1975	114-116
23	14.8	The Government Employees (Conduct) Rules, 1966	117-131
24	Omitted.	...	...

TABLE OF CONTENTS

Part I–Pensions		
A–PRELIMINARY		
		RULE
CHAPTER I–Extent of Application and Definitions		
Section I –Extent of Application		1.1
Section II–Definitions		1.3
B–ORDINARY PENSIONS		
CHAPTER II–General Provisions relating to grant of pensions		
Section I–General		2.1
Section II–Cases in which claims are inadmissible		2.3
Section III– Misconduct, insolvency or inefficiency– Compassionate Allowance in special cases		2.5
Section IV–Ex-gratia Grant to Members of the Family of an Employee who Dies in Harness.		2.7
Section V– Limitations		2.8
CHAPTER III–Service Qualifying for Pension		
Section I– General		
Beginning of Service		3.8
Section II–Conditions of Qualification: –		
A–General		3.12
B –First Condition–Service under Government		3.16
(i) General		3.17
(ii) Apprentices		3.23
(iv) Deputations on special duty on abolition of a permanent post		3.27
(v) Press Employees paid for Piece-Work		3.28
(vi) Service in the Settlement Department on a Quasi- permanent footing.		3.29
D –Third Condition-Service paid by Government: –		
(i) Sources of remuneration		3.30
(ii) Service paid from Government Revenues		3.31
(iii) Service paid from Trust Funds		3.32

	(iv) Service paid by Fees or Commission	3.33
	(v) Service paid by Grant of a tenure in Land, etc.	3.34
	(vi) Service paid from Local Funds	3.35
CHAPTER IV–Reckoning of Service for Pension		
	Section I–Introductory	4.1
	Section II–Special additions to service qualifying for superannuation pension	4.2
	Section III–Counting of Military Service towards Civil Pension	4.3
	Section IV–Periods of Leave and other authorised absence from duty:–	
	A–Periods of leave	4.7
	B–Periods of training	4.12
	C–Deputation out of India	4.13
	D–Deputation to the Defence Department	4.15
	E–Period of voyage to India on recall to duty	4.16
	Section V–Suspensions, Resignations, Breaks and Deficiencies in Service:–	
	A–Omitted	
	B–Omitted	
	C–Omitted	
	D–Condonation of interruptions	4.23
CHAPTER V–Different kinds of Pensions and Conditions for their Grant		
	Section I–Classification of Pensions	5.1
	Section II–Compensation Pension	
	A–Conditions of grant	5.2
	B–Procedure:–	
	(i) Selection for discharge	5.7
	(ii) Notice of discharge	5.9
	Section III–Invalid Pension: –	
	A–Conditions of grant	5.11
	B–Procedure: –	5.18
	C–Rules regarding Medical Certificate: –	
	(i) General	5.19
	(ii) Form of Medical Certificate elsewhere than in India	5.24

	(iii) Form of Medical Certificate in India	5.26
	Section IV–Superannuation Pension: –	
	A–Conditions of Grant	5.27
	B–Procedure	5.30
CHAPTER –VI–Amount of Pensions		
	Section I–General	6.1
	Section II–Old Pension Rules	Omitted
	Section III–Revised Pension Rules: –	
	A–Gratuity and Pension–	
	Service Gratuity	6.16
	Calculation of pension	6.16-A
	B–Death-cum-Retirement Gratuity–	6.16-AA
	Definition of Family	6.16-B
	C–Death/Retirement benefits for temporary Government employees	6.16-C
	Family Pension Scheme	6.17
	Family Pension in respect of a Government employee who dies in harness	6.17-A
	Additional Pension (Old Age Allowance)	6.18
	Procedure	6.18-A
	Section V–Emoluments and Average Emoluments: –	
	A–Emoluments Reckoning for Pension	6.19-C
	C–Average Emoluments	6.24
	Time Table for the work	6.25
	Determination of the amount of family pension and gratuity where service records are incomplete	6.26
	Adjustment of Government Dues	6.30
CHAPTER VII–Re-employment of Pensioners		
	Section I–General	7.1
	Section II–Re-employment of Civil Pensioners: –	
	A–General	7.7
	B–After compensation gratuity	7.10
	C–After compensation pension	7.13
	D–After invalid pension	7.16
	E–After Superannuation or Retiring Pension	7.17
	Section III–Re-employment of military pensioners	7.19

	Section IV–Pension for new service	7.22
	Section V– Commercial Employment after retirement	7.26
	Section VI–Employment under Government outside India after retirement	7.27
C–WOUND AND OTHER EXTRAORDINARY PENSIONS		
CHAPTER VIII–Wound and other Extraordinary Pensions		
	Section I–Extent of Application	8.1
	Section V–Rules regarding the grant of Wound and Extraordinary pensions	8.25
	Definitions	8.26
	List of injuries deemed to result in permanent total disablement and permanent partial disablement	8.26(4) and Annexure
	Ex-gratia grant if death of an employee occurs during performance of duty	8.32
	Conditions and rate of grant of Special Family Pension	8.33
	Grant of pension to dependents of private individuals	8.38
D – PROCEDURE RELATING TO PENSIONS		
CHAPTER IX–Determination and authorisation of the amounts of pension and gratuity		
	Preparation of list of Government employees due for retirement	9.1
	Intimation to the Accounts Officer Rents and the concerned office of the Department of Public Works regarding issue of ‘No Demand Certificate’	9.2
	Preparation of pension papers	9.3
	Stages for the completion of pension papers	9.4
	Completion of pension papers	9.5
	Forwarding of pension papers to the Accountant General, Punjab	9.6
	Provisional Pension	9.9
	Authorisation of Pension and gratuity by the Accountant General, Punjab.	9.10
	Government employee who retires while on deputation	9.12
	Interest on delayed payment of gratuity	9.13

	Provisional pension where departmental or judicial proceedings may be pending	9.14
	Revision of pension after authorisation	9.15
	Recovery and adjustment of Government dues	9.16
	An office order to be issued specifying the date of retirement of the retiring Government employee	9.19
CHAPTER X–Payment of Pensions		
	Section I–General Rules: –	
	A–Date of commencement of pension	10.1
	B–Transfers between England and India	Omitted
	Section II–Payments in India	
	A –Payment of gratuities	10.12
	B –Lapses and forfeiture	10.13
	E–COMMUTATION OF PENSIONS	
CHAPTER XI–Commutation of Civil Pensions		
	Section I–General	11.1
	Section II–Submission of applications	11.2
	Section III–Report by the Accounts Officer	11.4
	Section IV–Administrative Sanction and Medical Examination: –	
	A–Administrative sanction	11.6
	B–Intimation to the applicant and the Chief Administrative Medical Officer	11.7
	C–Medical Examination	11.8
	D–Lapse of Administrative Sanction and the period for the withdrawal of application	11.10
	E–Commutation to become absolute	11.11
	Section V–Payment of Commuted Value	11.13
	F–CONSENT AND DELEGATION ORDERS	
CHAPTER XII–Consent and delegation orders		12.1
Part II–Provident Funds		
CHAPTER XIII–Punjab General Provident Fund Rules		13.1 to 13.37
CHAPTER XIV–Punjab Contributory Provident Fund Rules		Omitted.
Part III–Group Insurance Scheme		
CHAPTER XV–Punjab Group Insurance Scheme Rules		15.1 to 15.4

x

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PART I–PENSIONS

THE PUNJAB CIVIL SERVICES RULES**VOLUME II****PART I—PENSIONS****A—PRELIMINARY****CHAPTER I—EXTENT OF APPLICATION AND DEFINITIONS****SECTION I—Extent of Application**

1.1. (a) Except as provided otherwise in any rule or rules, the rules in this part regulate the grant of pensions to the Government employees to whom the rules in Volume I of these rules apply,—(vide Chapter I of that Volume).

Note.—See proviso to rule 1.2 of Volume I (Part I) of these rules.

(b) Subject to the provisions of clause (a) above, a Government employee transferred to a service or post to which the rules in this part apply, from a service or post to which they do not apply, becomes subject to these rules, provided that it shall be open to him, within six months of the date of transfer, or, if he is on leave on that date, within six months of his return from leave, to elect to be governed by the pension rules to which he was subject immediately before the date of transfer. The intention of exercising this option must be specifically declared to the Government. The option once exercised shall be final.

Note.—The Administrative authority concerned should clearly bring to the notice of the officer concerned the provision of this clause while issuing the order of confirmation of such a Government employee under the Punjab Government.

(c) Omitted.

(d) (i) Unless the contrary appears from the context, the provisions of rules 1.5 to 1.8 of Volume I of these rules apply *mutatis mutandis* to the rules in this part also.

(ii) Omitted.

(iii) Omitted.

1.2. Omitted.

1.2-A. Omitted.

1.2-B. Omitted.

1.2-C. Omitted.

SECTION II—Definitions

1.3. The terms defined in Chapter II of Volume I of these rules have, unless there is anything repugnant in the subject or context the same meaning and implications, when used in this part.

Note.—Unless the contrary appears from the context or subject the term “pay” (defined in rule 2.44 of Volume I of these rules) does not include “special pay” when used in this part.

ANNEXURE

Omitted.

B-ORDINARY PENSIONS

CHAPTER-II

GENERAL PROVISIONS RELATING TO GRANT OF PENSIONS

SECTION-General.

2.1. Every pension shall be held to have been granted subject to the conditions contained in chapter VII of these rules.

2.2. Recoveries from pensions.-(a) Future good conduct is an implied condition of every grant of a pension. The Government reserve to themselves the right of withholding or withdrawing a pension or any part of it if the pensioner be convicted of serious crime or be guilty of grave misconduct.

In a case where a pensioner is convicted of a serious crime, action shall be taken in the light of the judgment of the court relating to such conviction.

In a case not covered by the preceding paragraph, if the Government considers that the pensioner is *prima facie* guilty of grave misconduct, it shall before passing an order,-

- (i) serve upon the pensioner a notice specifying the action proposed to be taken against him and the grounds on which it is proposed to be taken and calling upon him to submit, within sixteen days of the receipt of the notice or such further time not exceeding fifteen days, as may be allowed by the pension sanctioning authority, such representation as he may wish to make against the proposal; and
- (ii) take into consideration the representation, if any, submitted by the pensioner under sub-clause (i).

Where a part of pension is withheld or withdrawn the amount of such part of pension shall not ordinarily exceed one-third of the pension originally sanctioned nor shall the amount of pension left to the pensioner be ordinarily reduced to less than three thousand five hundred rupees per month, having regard to the consideration whether the amount of the pension left to the pensioner, in any case, would be adequate for his maintenance.

In a case where an order under clause (i) above is to be passed by the Government, the Public Service Commission shall be consulted before the final order is passed.

The decision of the Government on any question of withholding or withdrawing the whole or any part of the pension under this rule shall be final and conclusive.

Explanation.—In this rule, the expression “serious crime” includes crime involving, an offence under the Official Secrets Act, 1923 (19 of 1923); and the expression “grave misconduct” includes the communication or disclosure of any secret, official code or pass-word or any sketch, plan, model, article, note, document or information such as is mentioned in section 5 of the Official Secrets Act, 1923 (19 of 1923) (which was obtained while holding office under the Government) so as to prejudicially affect the interests of the general public or the security of the State.

Note.—A claim against the Government employee may become known and the question of making recovery may arise:—

- (a) when the calculation of pension is being made and before the pension is actually sanctioned; or
- (b) after the pension has been sanctioned.

The claim and the recovery may be one or other of the following categories:—

- (1) Recovery as a punitive measure in order to make good loss caused to Government as a result of negligence or fraud on the part of the person concerned while he was in service.
- (2) Recovery of other Government dues such as over issues of pay, allowances or leave salary, or admitted and obvious dues such as house-rent, Postal Life Insurance premia, outstanding motor car, house building, travelling allowance or other advances.
- (3) Recovery of non-Government dues.

1. In cases falling under (a) above, none of the recoveries mentioned in (1) to (3) above may be effected by a reduction of the pension about to be sanctioned except in the following circumstances:—

- (i) Omitted.
- (ii) When the pensioner by request made or consent given has agreed that the recovery may be made. If such request is not made or consent is not given by the pensioner, even sums admittedly due to Government such as house-rent, outstanding advances, etc., may not be recovered from pension. In such cases, however, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example, by going to a court of law, if necessary.

2. In cases falling under (b) above, none of the recoveries described in clauses (1) to (3), may be effected by the deduction from a pension already sanctioned except at the request or with the express consent of the pensioner. Under rule 2.2(a), of this Volume, future good conduct is an implied condition of every grant of a pension and a pension can be withheld or withdrawn in whole or in part if the pensioner is convicted of serious crime or is guilty of grave misconduct. This, however, refers only to crime or misconduct occurring after the pensioner has retired from service, and the rule would not, therefore, cover a reduction of pension made for the purpose of retrieving loss caused to Government as a result of negligence or fraud on the part of the pensioner occurring before he had retired from service.

In cases where the pensioner does not agree to recovery being made even of sums admittedly due to Government, the concluding remarks made under 1(ii) above, will also be applicable.

Heads of offices should see that the last pay or leave salary prior to retirement shall not be paid until it is clear that a retiring Government employee has no outstanding dues to Government. Sometimes, it may not be practicable to ascertain in time all the outstanding dues, while sometimes dues may exceed the amount of last pay or leave salary. In such cases, it is the duty of the heads of offices (in consultation with Treasury officers and Accountant-General, Punjab in the case of Group 'A' or Group 'B' officers), to bring promptly to the notice of the Accountant-General, Punjab, all the outstanding amounts by a separate communication, stating in detail the nature of recovery and why it has not been possible to effect it from last pay or leave salary. The outstanding amounts should also be clearly and completely noted in the last pay certificates in sufficient detail with reference to the previous correspondence with the Accountant-General, Punjab, and if the recovery is to be effected from pension, it should be clearly recorded on the last pay certificate itself that the request or express consent of the pensioner in writing to the recovery from his pension has been obtained.

Note 1.—Although compassionate allowance is of the nature of an ex-gratia payment it is really a form of pension and, therefore, recoveries from it, once it is sanctioned, should be governed by the above orders.

Direct recovery of Government dues from Compassionate Allowance is not permissible, under these orders, but recovery may be made indirectly (before the allowance is sanctioned) by reducing the allowance either permanently or as a temporary measure.

Note 2.—Strictly speaking under the orders no recovery of amount is permissible from pension but if final recovery has been made it need not be refunded to the pensioner concerned.

(b) The Government further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period

and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Government, if, in a departmental or judicial proceeding, the pensioner is found guilty of grave mis-conduct or negligence during the period of his service, including service rendered upon re-employment after retirement:

Provided that—

- (1) Such departmental proceedings, if instituted while the officer was in service, whether before his retirement or during his re-employment, shall after the final retirement of the officer, be deemed to be a proceeding under this article and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service;
- (2) Such departmental proceedings, if not instituted while the officer was in service whether before his retirement or during his re-employment—
 - (i) shall not be instituted save with the sanction of the Government;
 - (ii) shall not be in respect of any event which took place more than four years before such institution; and
 - (iii) shall be conducted by such authority and in such place as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the officer during his service.
- (3) No such judicial proceedings, if not instituted while the officer was in service, whether before his retirement or during his re-employment shall be instituted in respect of a cause of action which arose or an event which took place more than four years before such institution; and

The Public Service Commission should be consulted before final orders are passed.

Explanation.—For the purpose of this rule—

- (a) a departmental proceeding shall be deemed to be instituted on the date on which the statement of charges is issued to the officer or pensioner, or if the officer has been placed under suspension from an earlier date, on such date; and
- (b) a judicial proceeding shall be deemed to be instituted—

- (i) in the case of a criminal proceeding, on the date on which the complaint or report of the police officer on which the Magistrate takes cognizance, is made; and
- (ii) in the case of a civil proceeding, on the date of presentation of the plaint in the court.

Note:—As soon as proceedings of the nature referred to in the above rule are instituted, the authority which institutes such proceedings should without delay intimate the fact to the Accountant-General. The amount of the pension withheld under clauses (b) should not ordinarily exceed one-third of pension originally sanctioned, including any amount of pension to be so withheld, regard should be had to the consideration whether the amount of the pension left to the pensioner in any case would be adequate for his maintenance.

(c) (1) Where any departmental or judicial proceeding is instituted under clause (b) of rule 2.2 or where a departmental proceeding is continued under clause (i) of the proviso thereto against an officer who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceedings, final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date of retirement or if he was under suspension on the date of retirement up to date immediately preceding to the date on which he was placed under suspension; but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceedings and of final orders thereon.

The gratuity, if allowed to be drawn by the competent authority on the conclusion of the proceedings will be deemed to have fallen due on the date of issue of final orders by the competent authority:

Provided that where Departmental proceedings have been instituted under rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 for imposing any of the penalties specified in clauses (i), (ii) and (iv) of rule 5 of the said rules, the payment of gratuity or death-cum-retirement gratuity, as the case may be, shall not be withheld.

(2) Payment of provisional pension made under sub-clause (1) shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

Note.—The grant of pension under this rule shall not prejudice the operation of rule 6.4 *ibid* when final pension is sanctioned upon conclusion of the proceedings.

2.2-A. In the case of a Government employee who retires from service, while on deputation to Central Government or any other state Government or while on foreign service, action to sanction pension and gratuity in accordance with the provisions of Chapter IX shall be taken by the Audit Officer or the Head of Office, as the case may be, of the Cadre authority which sanctioned the deputation of the Government employee to the Central or any other State Government or to foreign service.

SECTION II.—Cases in which Claims are Inadmissible

2.3. A competent authority may rule that the service of any class of Government employees does not qualify for pension.

Note 1.—Service in Dak Banglows and District Garden establishments does not qualify.

Note 2.—Posts of patwaris have been declared pensionable with effect from 1st August, 1949.

2.4. In the following cases no claim to pension is admitted:—

- (a) When a Government employee is appointed for a limited time only, or for a specified duty on the completion of which he is to be discharged.
- (b) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month.
- (c) When a person's whole-time is not retained for the public service, but he is merely paid for work done, such as Government Pleaders and Law Officers not debarred from private practice.
- (d) When a public employee holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a compensatory allowance.
- (e) When a Government employee serves under an agreement which contains no stipulation regarding pension, unless the competent authority specially authorises him to count such service towards pension.

Note.—The agreements should be so worded as to preserve inviolate the indefeasible right of Government to modify the rules from time to time, at their discretion, so that no claim may arise to the benefits of the rules as they stood at the date when the agreement was executed.

SECTION III.—Misconduct, Insolvency, or Inefficiency.

2.5. No pension may be granted to a Government employee dismissed or removed for misconduct, insolvency or inefficiency; but to Government employee so dismissed or removed, compassionate allowances may be granted when they are deserving of special consideration: Provided that the allowance granted to any Government employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

Note 1.—This rule vests Government with an absolute discretion to grant or not to grant any compassionate allowance, the only restriction being that if granted, it shall not exceed the maximum of two-thirds of the pension that would be admissible to the officer concerned on retirement on medical certificate. It is practically impossible in view of the wide variations that naturally exist in the circumstances attending each case, to lay down categorically, precise principles that can uniformly be applied to individual cases. Each case has, therefore, to be considered on its merits and a conclusion has to be reached on the question whether there were any such extenuating features in the case as would make the punishment awarded, though it may have been necessary in the interest of Government, unduly hard on the individual. In considering this question it has been the practice to take into account not only the actual misconduct or course of misconduct which occasioned the dismissal or removal of the officer, but also the kind of service he has rendered. Where the course of misconduct carries with it the legitimate inference that the officer's service has been dishonest there can seldom be any good case for a compassionate allowance. Poverty is not an essential condition precedent to the grant of a compassionate allowance, but special regard is also occasionally paid to the fact that the officer has a wife and children dependent upon him, though this factor by itself, is not, except perhaps in the most exceptional circumstances, sufficient for the grant of a compassionate allowance.

(See also Note below rule 9.12 and Note 3 below rule 11.1.)

Note 2.—The report of the Accountant-General is required in all cases of grant of compassionate allowances.

Note 3.—No Government employee even if belonging to a class entitled to commute ordinary pension, is entitled to commute a compassionate allowance; a commutation to such an allowance may be sanctioned by a competent authority only on proof that the proceeds of the commutation will be invested for the permanent benefit of the commutor's family.

Note 4.—In cases, where it is proposed to grant to a Government employee dismissed or removed from service, a compassionate allowance, the sanctioning authority should not condone deficiencies in service, for the purpose of determining the amount of pension that would have been admissible to him if he had retired on medical certificate on the basis of which the compassionate allowance is calculated.

SECTION IV—Claims of Widow or Heirs

2.6. Omitted.

2.7. Government may allow ex-gratia grant to the member of the family of a Government employee, including a member of All India Service serving under the Punjab Government who dies while in service as indicated in the Annexure to this Chapter.

2.7-A. (1) If a person who in the event of death of a Government employee while in service is eligible to receive ex-gratia grant under rule 2.7 is charged with the offence of murdering the Government employee or for abetting in the commission of such an offence, his claim to receive the ex-gratia grant shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(2) If on conclusion of the criminal proceedings referred to in sub-rule (1) the person concerned—

- (a) is convicted for murdering or for abetting in the murder of the Government employee, such a person shall be debarred from receiving the ex-gratia grant which shall be payable to the next eligible person; and
- (b) is acquitted of the offence of murder or for abetting in the murder of the Government employee, the ex-gratia grant shall be payable to him.

SECTION V—Limitation

- 2.8. (a) A Government employee cannot earn two pensions in the same post at the same time, or by the same continuous service.
- (b) Save as provided in rule 3.17, two Government employees may not simultaneously count service in respect of the same post.

ANNEXURE

(Referred to in rule 2.7)

Rules Regulating the Grant of Ex-gratia Grants

1. The ex-gratia grant is intended for providing relief to the family of a Government employee, paid monthly from the State revenues, whether the rates of pay are fixed on a daily or a monthly basis, who dies while in service.

2. Where death occurs in harness or the employee is permanently disabled and rendered unfit for further service, the payment of *ex-gratia* grant shall be made at the rate of one lakh rupees on a uniform basis.

Note.—The amount of ex-gratia grant mentioned above is effective from the 1st day of January, 2006.

3. The ex-gratia grant will be payable to the following members of the family of the deceased employee and in the order mentioned below: –

- | | |
|---|---|
| 1. widow or husband, as the case may be | } If they are unemployed and were
entirely dependent on the deceased
employee as certified by the Deputy
Commissioner. |
| 2. sons and daughters | |
| 3. father | |
| 4. mother | |
| 5. brothers and sisters | |

4. Necessary information in regard to the deceased employee and the members of his family shall be obtained by the Head of Office in the following form along with an affidavit, duly attested, and a reasonable proof of title to the ex-gratia grant.

5. The ex-gratia grant will be sanctioned by the Head of Office. The payment of ex-gratia grants to the families and dependents of deceased Government employees shall be made on the basis of the necessary sanction issued by the Head of Office, irrespective of the group of service to which the concerned Government employee belonged. The Treasury Officer concerned shall allow payment of the ex-gratia grants accordingly on the basis of the sanctions issued by the Head of Office.

The expenditure shall be debitable to the major head “2235–Social Security and Welfare–60–Other Social Security and Welfare Programmes–200–Other Programmes–08–*Ex-gratia* payments to families of Ministers, Government servants etc., dying in harness”.

6. (i) In case a Government employee while traveling by a Military Aircrafts, or by any other Government aircrafts on duty dies as a result of an accident to that aircraft, the family of such a Government employee shall be entitled to the ex-gratia payment in accordance with the provisions of sub-rule (2) of rule 8.32.
- (ii) The ex-gratia payment specified in sub-para (i) shall also be admissible to the family of a Government employee who dies as a result of accident occurring in the course of his duty in either of the following air journeys undertaken by him in public interest:–
- (a) air journey on a test flight;
- (b) air journey by a non-scheduled flight on a chartered plane.

Note 1.–In this Annexure “Government Employee” means a Government employee who has rendered service qualifying for pension as specified in rule 3.17-A.

Note 2.–For other benefits of residential accommodation, free education of children and medical facilities to the member of the family of the deceased employee, see relevant rules and instructions.

Note 3.—The term “window or husband” used in the Annexure does not include a spouse who got judicially separated from the deceased employee.

Note 4.—No proposal for the grant of financial assistance for the marriage of the dependent daughters of Government employees shall be entertained.

FORM

(Referred to in para 4)

Form of application for ex-gratia grant

Application from a member of family of late Shri/Shrimati _____
employed as _____ in the Office/Department of _____

1. Name and full address of applicant:

2. Relationship with deceased
Government employee:

3. Circumstances and date of death of
the Government employee:

4. Name and ages of surviving
relations of the deceased:

	Name	Age
--	------	-----

- | | | |
|---|--|--|
| (a) Widow/Husband | | |
| (b) Sons | | |
| (c) Unmarried daughters | | |
| (d) Widowed daughters | | |
| (e) Parents wholly dependent on the
deceased Government employee | | |
| (f) Widowed and unmarried sisters | | |
| (g) Brothers | | |

5. The treasury from which ex-gratia
grant is to be drawn.

6. Any other relevant information.

Place _____

Dated _____

(Signature of applicant)

CHAPTER III

SERVICE QUALIFYING FOR PENSION

Section I—General

3.1 to 3.7 Omitted.

BEGINNING OF SERVICE

3.8. Unless it be otherwise provided by special rule or contract, the service of every Government employee begins to qualify for pension when he takes charge of the post to which he is first appointed.

Note.—In every contract with a Government employee appointed abroad, a clause should be inserted to the effect that service begins only from the date on which the Government employee joins his post in India.

3.9. Except for compensation gratuity, an officer's service does not qualify till he has completed eighteen years of age, provided that nothing contained in this rule shall apply in the case of persons who were in service on the 1st June, 1961 and in whose case a lower age limit had been prescribed.

Note. Omitted.

3.10 to 3.11. Omitted.

SECTION II — Conditions of Qualification

A.— General

3.12. The service of a Government employee does not qualify for pension unless it conforms to the following three conditions:—

First.—The service must be under Government.

Second.—The employment must be substantive and permanent.

Third.—The service must be paid by Government.

These three conditions are fully explained in the following rules.

Note.—The question whether service in a particular office or department qualifies for pension or not is determined by the rules which were in force at the time such service was rendered; orders subsequently issued declaring the service to be non-qualifying, are not applicable with retrospective effect.

3.13. The competent authority may, however, in the case of service paid from the Government revenues, even though either or both of the first two conditions in rule 3.12 are not fulfilled: —

(1) declare that any specified kind of service rendered in a Group 'C' or Group

‘D’ capacity shall qualify for pension;

- (2) in individual cases, and subject to such conditions as it may think fit to impose in each case, direct that service rendered by a Government employee shall count for pension.

Note.—All services rendered, in addition to police if followed without a break by permanent service, shall qualify for pension.

3.14. A competent authority may, when both the first and the second conditions mentioned in rule 3.12 are fulfilled, declare that service paid from funds administered by Government shall, in the event of the provincialisation of such funds, count for pension.

3.15. The following special provisions apply to the Police Department:—

- (a) If the police of a town are wholly supported by, and under the control of a Municipality, the Government has no concern with their pensions.
- (b) But if the Government, being interested in the efficiency of a Police Force, paid wholly or partly by a Municipality or from Cantonment Funds, or from the Government revenues subsidised by a contribution from a Municipality or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with an Auxiliary to the Civil Constabulary, service in such a Force qualifies. The contributions of Municipalities or of Cantonment Fund towards the cost of the pensions of such Forces are determined in accordance with the orders of Government.
- (c) The service of members of the Railway Police, appointed and controlled by Government, qualifies, though they may be either wholly or partly paid by the Railway companies.
- (d) Service in superior grades in any other Department rendered before enlistment in the Police Department qualifies.

B.—FIRST CONDITION—SERVICE UNDER GOVERNMENT

3.16. (a) The service of a Government employee does not qualify unless he is appointed and his duties and pay are regulated by the Government or under conditions determined by the Government.

(b) Omitted.

Note 1.—The following are examples of Government employees excluded from pension by this rule:—

- (1) Employees of a municipality;
- (2) Employees of grant-in-aid schools and institutions;

- (3) Subordinates appointed by Treasurers on their own responsibility;
- (4) Service on an establishment paid from a Contract Establishment Allowance, with the detailed distribution of which the Government does not interfere, whether such contract allowance is a fixed amount or consists of fees.
- (5) Service on an establishment paid from the House-hold Allowance of the Governor.

Note 2.—If a Government employee has served partly in a capacity which would have given him claim to pension if the service had been paid from the Government revenues on the household establishment of the Governor, and partly on establishments paid from the Government revenues, he is entitled from Government revenue to a share of any pension to which he would have been entitled, if his whole service had been paid from the Government proportionate to the length of the service which has been so paid.

C. – SECOND CONDITION—SUBSTANTIVE AND PERMANENT EMPLOYMENT

I.—General

3.17. If an employee was holding substantively a permanent post on the date of his retirement, his temporary or officiating service under the State Government, followed without interruption by confirmation in the same or another post, shall count in full as qualifying service except in respect of : —

- (i) periods of temporary or officiating service in non-pensionable establishment;
- (ii) Omitted.
- (iii) Omitted.

Note 1.—In case of a Central Government employee who is permanently transferred to the Punjab Government and becomes subject to these rules, under rule 1.1 (b) of these rules, the term “continuous temporary/officiating service” shall include such service rendered under Central Government.

Note 2.—In case of a purely temporary Central Government employee who is permanently transferred to Punjab Government and becomes subject to these rules, the term “continuous temporary service” includes the temporary service under the Central Government. The pensionary liability in respect of such cases shall be allocated on the length of service.

Note 3.—The entire service rendered by an employee as work-charged as also the service paid from contingencies, shall count as qualifying service:

Provided that—

- (i) such service is followed by regular employment;
- (ii) there is no interruption in the two or more spells of service, or the interruptions are condonable under rule 4.23; and

(iii) such service must be a full-time job.

Note 4. The entire adhoc service rendered by a Government employee may be counted as qualifying service:

Provided that—

- (i) such service is followed by regular employment;
- (ii) there is no interruption in the two or more spells of adhoc service, and adhoc and regular service, or the interruptions are condonable under rule 4.23;
- (iii) such service must be a full-time job;
- (iv) recruitment to such service should have been made through the Employment Exchange or by open advertisement;
- (v) the service rendered as adhoc employee must have been against a regular post or vacancy; and
- (vi) the conditions for eligibility, like academic qualifications, experience and age, at the time of adhoc appointment, should have been fulfilled.

3.17-A. (1) Subject to the provisions of rule 4.23 and other rules and except in the cases mentioned below, all service rendered on establishment, interrupted or continuous, shall count as qualifying service:—

- (i) Omitted.
- (ii) Omitted.
- (iii) Casual or daily rated service.
- (iv) Suspension adjudged as a specific penalty.

Note.—In cases where an officer dies or is permitted to retire while under suspension will not be treated as an interruption.

- (v) Service preceding resignation except where such resignation is allowed to be withdrawn in public interest by the appointing authority as provided in the relevant rules or where such resignation has been submitted to take up, with proper permission, another appointment whether temporary or permanent under the Government where service qualifies for pension.
- (vi) Joining time for which no allowances are admissible under rules 9.1 and 9.15 of C.S.R., Volume I, Part I.
- (vii) If any unauthorised leave of absence occurs in continuation of authorised

leave of absence and if the post of the absentee has been substantively filled up, the past service of the absentee is forfeited.

- (viii) Transfer to a non-qualifying service in an establishment not under Government control or if such transfer is not made by the competent authority and transfer to service in a grant-in-aid school.

(A Government employee, who voluntarily resigns qualifying service, cannot claim the benefit under this clause.)

- (ix) Removal from public service for misconduct, insolvency, inefficiency not due to age, or failure to pass an examination will entail forfeiture of the past service.

- (x) Service rendered beyond the date of retirement on superannuation in terms of rule 3.26 of Punjab Civil Services Rules, Volume I, Part I.

(2) An interruption in the service of a Government employee caused by wilful absence from duty or unauthorised absence without leave, shall entail forfeiture of the past service.

(3) Wilful abstinence from performing duties by a Government employee by resort to pen down strike shall be deemed to be wilful absence from duty and shall also entail forfeiture of the past service.

Note.—In the case of a Central Government employee who is permanently transferred to the Punjab Government and becomes subject to these rules, the pensionary benefits admissible for service under Central Government would be that admissible under the Government of India rules and the liability for such benefits shall be allocated in accordance with the prevalent orders.

Clarification (1).—Even after the introduction of rule 3.17(A) and deletion of rule 4.21 the following cases do not entail forfeiture of past service:—

- (a) authorised leave of absence;
- (b) abolition of post or loss of appointment owing to reduction in establishment.

(“Post” or “appointment” means a post or appointment service in which qualifies for pension).

(2) While counting such qualifying service for working out aggregate service, the period of break in service shall be omitted.

3.18. An establishment, the duties of which are not continuous but are limited to certain fixed period in each year, is not a temporary establishment. Service in such an establishment including the period during which the establishment is not employed

qualifies, but the concession and counting as service during which the establishment is not employed, does not apply to a Government employee, who was not on actual duty when the establishment was discharged after completion of its work, or to a Government employee who was not on actual duty on the first day on which the establishment was re-employed.

3.19. to 3.22. Omitted.

3.23. Service as an apprentice does not qualify, except in the following cases:—

Engineer or Examiner Apprentices.

3.24. to 3.26. Omitted.

(i) Deputation on Special Duty on Abolition of a Permanent Post.

3.27. If the permanent post held by a Government employee substantively is abolished, within the meaning of rule 5.2, but the Government employee is, at the time, on special duty, or is, on abolition of his post, deputed on special duty, his service on special duty qualifies, but the duty must be special; mere employment, in continuation of permanent employment, in a temporary post which happens at the time to be vacant, does not qualify unless it is followed by confirmation against a permanent post, as contemplated in rule 3.17.

(ii) Press Employees paid for Piece Work.

3.28. Press employee, who is paid for piece work is treated as having held a permanent post, if—

- (i) he is employed, not casually, but as a member of a fixed establishment; and
- (ii) during the last seventy-two months of his actual employment he has been attached to one post uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.
- (iii) Service in the Settlement Department on a Quasi-permanent Footing.

3.29. (a) The service of a Government employee not merely temporarily engaged in the Settlement Department which is (or was) on a quasi-permanent footing qualifies.

(b) Except in the regular Department and to the extent above specified, service in the Settlement Department does not count unless it is followed, without interruption by qualifying service in the Department or elsewhere. Settlement service followed without interruption, by pensionable service paid from a Patwaris Fund, also qualifies.

Note 1.—The term “Service in the Settlement Department” used in clause (b) includes all settlement service even if paid from a contingent grant.

Note 2.—Extra Assistant Commissioners and similar Group ‘A’ and Group ‘B’ Government employees when not specially employed for temporary work, are not affected by this rule, as they count service independently of the particular department to which they happen for the time to be attached.

Note 3.—Service of a Kanungo in a colony shall be treated as “Service in the Settlement Department”.

D.—THIRD CONDITION—SERVICE PAID BY GOVERNMENT

(i) Sources of Remuneration

3.30. Service which satisfies the conditions prescribed in sub-sections B and C of this section qualifies, or does not qualify according to the source from which it is paid. With reference to this rule, service is classified as follows:—

- (a) Paid from the Government revenues.
- (b) Paid from Funds in respect to which the Government hold the position of Trustee.
- (c) Paid by fees levied by law, or under the authority of the Government, or by Commission.
- (d) Paid by the grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.
- (e) Paid from Local Funds.

(ii) Service Paid from Government Revenues

3.31. Service paid from the Government revenues qualifies. The fact that arrangements are made for the recovery, on the part of the Government, of the whole, or part of the cost of an establishment of Government employee, does not affect the operation of this principle: provided that the establishment or Government employee is appointed, controlled and paid by the Government, e.g., Police Establishment entertained at the cost of individual and corporate bodies.

Note.—In making arrangements for the recovery of the cost of establishment, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave allowances, and pensions.

(iii) Service paid from Trust Funds

3.32. Service paid from Funds which Government hold only as a Trustee, such as under a Court of Wards or in an Attached Estate, does not qualify.

(iv) Service paid by Fees or Commission

3.33. Except when fees or commission are drawn in addition to pay from the Government revenues, service in a post paid only by fees, whether levied by law or under the authority of Government, or by commission, does not qualify.

Service as official assignee does not qualify.

Note.—Service paid from fees and commissions in addition to pay from the Government revenues qualifies under this rule but fees and commissions shall not be taken into account for determining pensionary benefits or gratuity.

(v) Service paid by Grant of a Tenure in Land, etc.

3.34. Service paid by the grant, in accordance with law or custom of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

(vi) Service paid from Local Funds

3.35. Apart from any special provisions made under the following rules, service paid for from a Local Fund does not qualify for pension.

3.36. to 3.41. Omitted.

3.42. Teachers and other members of the pensionable establishments of Government schools, who are transferred with the schools to which they belong to service under Local Boards, continue to render service qualifying for pension from the Government revenues, and are entitled to the concession even though they may be moved from the school with which they are transferred to another school which was formerly under Government management.

Teachers appointed to schools transferred to the management of Local Boards are entitled to pension from the Government revenues, if the Government makes a part of its contribution to the school in the form of pensions.

3.43. Omitted.

3.44. When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalised value (calculated on the basis of the Table of Commutation values for pensions applicable to the pensioner, increased by 10 per cent) of its share of the pension to Government which will thereupon accept liability for payment of the entire pension.

3.45. The Government does not guarantee the solvency of Funds formed by the subscriptions of Local Fund Employees and established to provide pensions for the subscribers thereto.

CHAPTER IV
RECKONING OF SERVICE FOR PENSION

Section I–Introductory

4.1. The conditions and limitations under which service in a post qualifies for pension are laid down in Chapter III.

The rules governing special additions to service qualifying for superannuation pension, and those relating to the counting of Military Service, periods of leave, suspensions, resignations, etc., for pension, and condonation of breaks and deficiencies in service are contained in the succeeding sections of this Chapter.

SECTION II–Special Additions to Service Qualifying for Superannuation Pension

4.2. (1) A Government employee appointed to a service or post after the twenty-sixth day of October, 1960, shall be eligible to add to his service qualifying for superannuation pension (but not for any other class of pension), the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty-five years, or a period of five years, whichever is less, if the service or post to which the Government employee is appointed is one –

- (a) for which post-graduate research or specialist qualification, or experience in scientific, technological or professional fields, is essential; and
- (b) to which candidates of more than twenty-five years of age are normally recruited:

Provided that this concession shall not be admissible to a Government employee unless his actual qualifying service at the time he quits Government service is not less than ten years:

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said service or post contain a specific provision that the service or post is one which carries the benefit of this rule.

(2) Omitted.

(3) Omitted.

(4) A Government employee, who is blind, deaf, dumb or otherwise orthopaedically handicapped or widow at the time of his entry into Government Service, shall be eligible to add to his service qualifying for superannuation pension a period of five years.

(5) A Government employee, who becomes blind, deaf, dumb or otherwise orthopaedically handicapped during the service and is retired from service as a result

thereof, shall also be eligible to add to his service qualifying for superannuation pension, a period of five years.

SECTION III—Counting of Military Service Towards Civil Pension

4.3. (a) Service rendered by an employee belonging to one of the classes mentioned in the schedule below after attaining the age of 18 years, which is pensionable under military rules, but which terminates before a pension has been earned in respect of it, may, at the discretion of Government, be allowed to count, when followed by service qualifying for pension under civil rules, as part of such service: Provided that any bonus or gratuity received in lieu of pensions, on or since, discharge from military service, shall be refunded in such number of monthly instalments, not normally exceeding 36 and beginning from such date, as in each case, the Government may decide. Service so allowed to count shall, however, be restricted to service, within or outside the employees unit or department, in India or elsewhere, which has been paid for from Indian revenues or for which a pensionary contribution has been received by Indian revenues. In the case of Defence Security Corps personnel re-employed in any civil posts, however, only half of the service rendered by them in the Defence Security Corps shall count for the purpose of pensionary benefits.

(b) Service pensionable under military rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under civil rules without the sanction of the competent authority.

Note 1.—An officer, ex-soldier, ex-sailor or ex-airman will not be brought under the operation of this rule, as a matter of course. Each case will be decided on its merits, e.g., there may be cases in which it may be open to a claimant for pension to add military service during the Great war to former non-pensionable service in the Army in order to claim the benefit of a military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this rule. The bearing of the paragraph 574 of the Pay and Allowance Regulations of the Army in India, Part II, on the position of soldiers of the Indian Army who re-entered during the Great War, deserves consideration in this connection.

Note 2.—To be eligible for the concession in this rule, the individual concerned should take his discharge from the Army, Navy or Air Force within 12 months of the date of his confirmation in the post pensionable under civil rules. This limit will be relaxed by competent authority only in special cases.

Note 3.—Employees in the Military Police have the option of counting service under any other rules in these Regulations which would give them a similar or more liberal concession.

Note 4.—Omitted.

Note 5.—When an order is passed under this rule allowing previous military service to count as part of the service qualifying for civil pension, it should be taken as carrying with

condonation of breaks if any, in the Military service, or the break, if any between the military service and the civil service.

Note 6.—Omitted.

Note 7.—It is permissible under this rule to allow military service interspersed between two periods of civil service to count for civil pension: Provided that the conditions laid down in this rule are otherwise fulfilled. The share of pension proportionate to military service in such cases will be borne by the Defence Department.

Before orders are passed, in any case, the military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to Defence Accounts Officers concerned.

Note 8.—The sanction regarding the counting of military service should be accorded by the competent authority at the time of the appointment of the person concerned and not at the time of his retirement from civil service. Sanctions accorded in such cases are required specially to mention the amount of gratuity or bonus recoverable, the number of monthly instalments in which the bonus or gratuity is to be recovered, and the date from which the recovery is to commence. If, in any case, the gratuity is not to be recovered, the fact will be specially stated in the sanction. The gratuity once refunded in order to secure the benefit of counting former military service for civil pension cannot be paid back in any circumstances.

Note 9.—The question of the amount of military or War (Great War) service which a Government employee is entitled to count for civil pension should be considered as soon as he joins a pensionable post. In the case of non-gazetted Government employees the amount should be shown in a certificate to be recorded in the service book or the service roll, as the case may be, by the Head of Department who should satisfy himself that the conditions of this rule and rule 4.6 or other relevant rules or instructions for counting military service for civil pension are fulfilled. The military service should in all cases be verified after reference to the Defence Accounts Officer concerned. References to the relevant rules should be quoted in the certificate and attested copies of the records relied upon in support of it should be attached.

Note 10.—See also notes under rule 4.6-A.

Note 11.—The expression ‘gratuity or bonus’ occurring in clause (a) refers to service gratuity or bonus only, and not war gratuity or bonus received as a reward for War Service.

SCHEDULE

1. Commissioned Officers and Junior Commissioned Officers.
2. Warrant Officers, non-commissioned Officers and other enrolled personnel of the Army, and the corresponding categories of the Navy and Air Force and personnel of the Frontier Constabulary and Militias.
3. Non-combatant departmental and regimental employees and followers of the supplemental services.

4. Warrant Officers and Departmental Officers of the Commissary and Assistant Surgeon classes.

4.4. Omitted.

4.5. Omitted.

4.6. Omitted.

4.6-A. War service rendered by itself or in conjunction with other military service shall count in full towards civil pension subject to the conditions, namely: –

- (i) the officer concerned should not have earned a pension under the military rules in respect of the service in question;
- (ii) in the case of services or posts in respect of which a minimum age is fixed for recruitment to military or war service rendered below that age shall be allowed to count for pension;
- (iii) 'War Service' rendered in the Armed Forces of India and rendered in similar forces of a Commonwealth Country shall be allowed to count alike for pension and no contribution towards or share of, a pension earned as a result of this concession shall be claimed from the foreign Government concern;
- (iv) no refund of bonus or gratuity paid in respect of this 'War Service' shall be demanded from the officer concerned. If, however, the officer has been granted any retirement gratuity for service covering both the war and post war period such gratuity shall be refundable. Also if any portion of service is allowed to count towards civil pension under rule 4.3 *ibid*, the instructions contained in note 1 below, in regard to refund of gratuity shall *mutatis mutandis* apply; and
- (v) break between military/war service and the civil service shall be treated as automatically condoned; provided the period of the break does not exceed one year. Break exceeding one year but not exceeding three years may also be condoned in exceptional cases, under special orders of Government.

Note 1.—In the case of a civil employee who has rendered satisfactory paid military service in the war in addition to military service pensionable under the military rules before or after such service but who did not earn a pension by his war service in conjunction with his other military service, that portion of the military service which was rendered before or after the War Service should be dealt with in accordance with the provision of rule 4.3 and the amount of gratuity which the Government employee will refund in respect of the later portion should bear the same proportion to the total amount of gratuity received in lieu of pension

as the period dealt with under rule 4.3 bears to the total period of military service including the period of War Service.

Explanation.—For the purpose of this note, it is immaterial whether or not, there was a break between the War Service and the other military service.

Note 2. Omitted.

SECTION IV.—Period of Leave and other Authorised Absence from Duty

A.—PERIOD OF LEAVE

4.7. The time passed by a Government employee on leave of all kinds except extraordinary leave, other than that extraordinary leave counted towards increment under rule 4.9 (b) of Volume I (Part I), shall count as service qualifying for pension.

4.8 and 4.9. Omitted.

4.10. A period of overstay of leave does not count for pension.

4.11. Omitted.

B.—PERIODS OF TRAINING

4.12. A competent authority will decide in the case of a Government employee (including a person in training for, but not actually appointed to, Government service), or any specified class of Government employees who is selected to undergo course of training, whether the time spent in the training shall count as service qualifying for pension.

Note.—General orders for counting the period of training as service under this rule have been issued in respect of the following:—

- (1) Police subordinates and candidates for direct appointment to the Subordinate Police Service while attending a Police Training School.
- (2) Assistant Director of Agriculture and Assistant Professor and Laboratory Assistants while in training at the Pussa Agriculture College.
- (3) Forest Rangers holding permanent substantive posts while under training at the Dehra Dun School.
- (4) All Forest Subordinates while under training at the Punjab Forest School.
- (5) Dispensers sent to the Medical College, Amritsar, to undergo a course of training with a view to qualifying as hospital assistants. (They count a maximum period of one year as service towards pension rendered under the source from which they were paid before training.)
- (6) Teachers and students, who are selected to undergo a course of training in a school, college or other institutions, subject to the sanction of the Director of Public Instruction, Punjab.

- (7) Subordinate Judges sent for training in Commercial Law at Bombay.

C.—DEPUTATION OUT OF INDIA

4.13. (a) When a Government employee is deputed out of India on duty, the whole period of his absence from India counts, when a Government employee on leave out of India is employed, or is detained after the termination of his leave, on duty, the period of such employment or detention counts:

Provided that where a gratuity is accepted from the foreign Government, the service rendered under it will not count towards pension under the State Government. However, in the case of a Government employee deputed to foreign service on the request of Government of India, the period spent in foreign service will be counted towards pension: provided he pays the usual pension contribution to the Government of Punjab.

(b) A Government employee, deputed on foreign service, for a period of five years or more, to the 'United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, the Asian Development Bank or the Commonwealth Secretariat, may at his option:—

- (i) pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or
- (ii) avail of the retirement benefits admissible under the rules of the aforesaid Organisation and not count such service as qualifying for pension under these rules:

Provided that where a Government employee opts retirement benefits under clause (ii), retirement benefits shall be payable to him in India in rupees from such date and in such manner as the Government may, by order, specify:

Provided further that pension contribution, if any, paid by the Government employee, shall be refunded to him.

Note.—The period of deputation converted into leave should count for pension as leave and not as deputation.

D.—DEPUTATION TO THE DEFENCE DEPARTMENT

4.14. Omitted.

4.15. Government employees in the Police Department who joined the battalions of the Indian Army can count service rendered in that capacity as continuous service in the Police Department for purposes of pension.

E.—PERIOD OF VOYAGE TO INDIA ON RECALL TO DUTY

4.16. Time spent on the voyage to India by a Government employee who is recalled to duty before the expiry of any recognised leave out of India counts: Provided his return to duty is compulsory.

SECTION V.— Suspensions, Resignation, Breaks and Deficiencies in service**A.—PERIODS OF SUSPENSION**

4.17 to 4.19. Omitted.

4.20. (a) A Government employee who is dismissed, removed or compulsorily retired or prematurely retired from public service, but reinstated on appeal or revision, is entitled to count his past service.

(b) The period of break in service between the date of dismissal, removal or compulsory retirement or premature retirement, as the case may be, and the date of reinstatement, and the period of suspension (if any), shall not count unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

INTERRUPTIONS

4.21. Omitted.

4.22. The authority which sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances or extraordinary leave.

Note.—The power under this rule of commuting respectively periods of absence without leave into leave without allowances is absolute, the purpose of the rule being merely to obviate, for purposes of pension, the forfeiture of past service.

D.—CONDONATION OF INTERRUPTIONS AND DEFICIENCIES

4.23. In the absence of a specific indication to the contrary in the service record, an interruption between two spells of service rendered under the State Government shall be treated as automatically condoned, and the pre-interruption service shall be treated as qualifying service for pension purposes, except where the interruption has been caused by resignation, dismissal or removal from service or due to participation in a strike, but the period of interruption itself shall, under no circumstances, be reckoned as qualifying service for pension purposes.

4.24. Omitted.

CHAPTER V
DIFFERENT KINDS OF PENSIONS AND
CONDITIONS FOR THEIR GRANT

SECTION I.—Classification of Pensions

5.1. Pensions are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter:—

- (a) Compensation Pensions (See Section II).
- (b) Invalid Pensions (See Section III).
- (c) Superannuation Pensions (See Section IV).
- (d) Retiring Pensions (See Section V).

Note. Omitted.

SECTION II.—Compensation Pension

A.—CONDITIONS OF GRANT

5.2. If a Government employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option —

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting another post or transfer to another establishment even on a lower pay, if offered and continuing to count his previous service for pension.

Note 1.—The discharge of one Government employee to make room for another better qualified is not the abolition of a post within the meaning of this rule, the abolition must produce a real saving to Government.

Note 2.—See also Note 2 below rule 5 of the Punjab Civil Service (Punishment and Appeal) Rules, 1970.

Note 3.—A Government employee in foreign service should be held to have lost his lien from the date on which his post in Government service was abolished and no contribution could be received after that date. He should be regarded as having retired from Government service from that date and he should be permitted to draw the pension to which he is entitled in addition to the pay which he received at the time from his foreign employer.

5.3. (1) When a Government employee is transferred from pensionable Government service to a non-pensionable establishment, he cannot be granted any

pension or gratuity admissible to him for the qualifying portion of his service until he actually retires from the non-pensionable establishment to which he is transferred.

(2) A permanent Government employee who may be permitted to be permanently absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by Government or in or under a body controlled or financed by Government, or Municipality, Panchayat Samiti or Zila Parishad, shall, if such absorption is declared by Government to be in the public interest, be deemed to have retired from Government service from the date of such absorption and shall be eligible to receive retirement benefit which he may have elected or deemed to have elected, and from the date of such absorption or the date of his voluntary retirement, whichever is later. Each such Government employee is required to exercise an option within six months of his absorption for either of the alternatives indicated below—

- (a) receiving the monthly pension and death-cum-retirement gratuity under the usual Government arrangements; or
- (b) receiving the death-cum-retirement gratuity and a lump sum amount in lieu of pension worked out with reference to the commutation table obtaining on the date from which the commuted value becomes payable.

(3) Where no option is exercised within the specified period the employee will be automatically governed by alternative (b). An employee opting for alternative (a) is entitled to commutation of a portion of the pension admissible to him in accordance with the provisions of rules contained in Chapter XI:

Provided that Government shall have no liability for payment of family pension in such a case:

Provided further that no declaration regarding absorption in the public interest in a service or post in or under such Corporation, Company, Municipality, Panchayat Samiti or Zila Parishad shall be required in respect of a Government employee whom Government may, by order, declare to be a scientific employee.

5.3-A. Where a Government employee referred to in rule 5.3 elects the alternative of receiving the death-cum-retirement gratuity and a *lump sum* amount in lieu of pension, he shall be granted —

- (a) on an application made in this behalf a *lump sum* amount not exceeding the commuted value of thirty per cent of his pension as may be admissible to him in accordance with the provisions of rules for commutation of civil pension contained in Chapter XI, and

- (b) a terminal benefit equal to twice the amount of the *lump sum* referred to in clause (a), subject to the condition that the Government employee surrenders his right of drawing seventy percent of his pension.

Note 1.—Omitted.

Note 2.—The commutation shall become absolute and the title to receive the commuted value shall accrue on the date on which the Medical Board signs the medical certificate. If the Medical Board directs that the age of the employee for the purpose of commutation shall be assumed to be greater than his actual age, the person concerned will have the opportunity to change his option for receiving a *lump sum* in lieu of monthly pension to receiving the monthly pension by written notice dispatched within two weeks from the date on which he receives intimation of findings of the Medical Board. If the applicant does not change his option within the said period of two weeks, he shall be assumed to have accepted the findings of the Medical Board.

5.4. If it is necessary to discharge a Government employee in consequence of a change in the nature of the duties of his post, the case for the grant of compensation pension or gratuity and notice of discharge should be referred to the competent authority.

5.5. Omitted.

5.6. Compensation pension is not admissible in the following cases, *viz.*:—

- (a) To a Government employee who belongs to the public service and in addition holds charge of a particular local post, on the abolition of that particular local post.
- (b) For the loss of a post on discharge after the completion of a specified term of service.
- (c) For the loss of a special pay or compensatory allowance.
- (d) To a school master or other Government employee who, in addition to his duties, is employed in any capacity in the Postal Department, on being relieved of such duties.

B. PROCEDURE

(i) Selection for Discharge.

5.7. The selection of Government employees to be discharged upon the reduction of an establishment should *prima facie* be so made that the least charge for compensation pension will be incurred.

5.8. Particulars of the saving effected should be fully set forth in every application for compensation pension. The saving should always exceed the cost of

the pension; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of post.

Note 1.—In any scheme for reorganising an establishment, the claim to pension that may arise in consequence of the reorganisation should always be considered before a change is made and except in cases of very urgent necessity, no revision of establishment should be carried out which have the effect of giving rise to claims to compensation pension, the cost of which cannot be met out of saving effected by the revision.

Note 2.—The saving referred to in this rule should be calculated with reference to the emoluments actually drawn at the time of the abolition of the post.

(ii) Notice of Discharge

5.9. (a) Reasonable notice should be given to a Government employee in permanent employ before his services are dispensed with, on the abolition of his post. If, in any case, notice of at least three months is not given, and the Government employee has not been provided with other employment on the date on which his services are dispensed with then with the sanction of the authority competent to dispense with his services, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under the rules in chapter VI ; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

(b) When it is proposed to discharge a person holding a temporary post before the expiry of the term of his appointment or a person employed on monthly wages without specified limit of time or duty, a month's notice of discharge should be given to such a person, and his pay or wages must be paid for any period by which such notice falls short of a month.

1. The gratuity prescribed in this rule is not granted as compensation for loss of employment but only in lieu of notice of discharge with a view to mitigate the hardship caused to a Government employee by the sudden loss of employment. When, therefore, a Government employee, discharged without notice, is provided with some other employment on the date on which his services are dispensed with, whether that employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

2. Unless it contains an express statement to the contrary, an order for the abolition of an office or post shall not be brought into operation till the expiry of three months after notice has been given to the Government employees whose services are to be dispensed with on such abolition. The immediate head of the office or the Department will be held responsible that there is no unnecessary delay in giving such

notice. In the case of a Government employee on leave the order shall not be brought into operation until the leave expires.

Note 1.—This rule does not apply to cases where specific provision for notice of discharge already exists in the letters of appointment.

Note 2.—“Emoluments” in this rule means the emoluments (or leave salary for partly the one, partly the other) which, the Government employee would be receiving during the period in question, had the notice not been given to him.

Note 3.—The gratuity paid in lieu of notice on abolition of a post should be charged to the particular department to which the pay of the post was debited before its abolition.

5.10. Whenever it is found necessary to determine the service of a Government employee serving under the contract within the period of his agreement a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the Government employee in writing.

SECTION III.—Invalid Pension

A.—CONDITIONS OF GRANT

5.11. An invalid pension is awarded, on his retirement from the Public Service, to a Government employee, who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

Note.—The amount of invalid pension shall not be less than the amount of normal family pension admissible under the Family Pension Scheme, 1964.

5.12. In the case of partial incapacity (*vide* alternative certificate in rule 5.26), a Government employee should, if possible, be employed even on lower pay so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then, he may be admitted to pension, but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under the rules.

Note.—The amount of invalid pension shall not be less than the amount of normal family pension admissible under the Family Pension Scheme, 1964.

5.13. Omitted.

5.14. A Government employee discharged on other grounds other than those stated in rules 5.11 and 5.12 has no claim to pension under rule 5.11, even though he can produce medical evidence of incapacity for service.

5.15. If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been

accelerated or aggravated by them it will be for the authority by which the pension is grantable to decide what reduction should be made on this account.

Note 1.—The mere fact that a Government employee has suffered from syphilis taken by itself is not sufficient to bring him under the operation of this rule.

Note 2.—Unsoundness of mind caused by drug habits is a sufficient cause for invalidating a Government employee.

Note 3.—The expression “irregular or intemperate habits” occurring in this rule refers to incapacity on account of drug habit or on account of disease resulting from immoral habits. Cases where incapacity occurs—due to other causes, e.g., work at irregular hours during War and after due to exigencies of service and not due to own volition do not come under the purview of this rule.

5.16. Omitted.

5.17. In the Police Department, Superintendent of Police should be on their guard against endeavours to retire on an invalid pension the Government employees, who are capable of serving longer. See also rule 5.23.

B.—PROCEDURE

5.18. A Government employee, who has submitted a medical certificate of incapacity for further service shall, if he is on duty, be invalided from service, from the date of relief of his duties which should be arranged without delay on receipt of the medical certificate or, if he is granted leave under rule 8.18 of Punjab Civil Services Rules, Volume I, Part I, on the expiry of such leave. If he is on leave at the time of submission of the medical certificate, he shall be invalided from service on the expiry of that leave or extension of leave, if any, granted to him under rule 8.18 of Punjab Civil Services Rules, Volume I, Part I.

Note 1.—The report required by this rule may in the case of head constable and constable of Police be submitted to the Inspector-General of Police instead of to the Government.

Note 2.—When a Government employee is retained in service, after he has submitted a medical certificate of invalidment, and is, thereafter, granted leave under rule 8.18(c) of Volume I(Part I) of these rules, the maximum period up to which, he can be allowed under this rule to count for pension, the service after the date of medical certificate shall not exceed six months.

C.—RULES REGARDING MEDICAL CERTIFICATES

(i) General

5.19. An officer applying for an invalid pension shall submit a medical certificate of incapacity in the manner specified below:—

(a) If the officer submitting the application is on leave elsewhere than in India, then the examination shall be arranged through the Indian Missions abroad by a Medical Board consisting of a Physician, a Surgeon and an Ophthalmologist, each of them having the status of a consultant. The services of doctors approved for the officers and staff of the Mission concerned, shall be utilised for this purpose, provided they fulfill the above conditions. A lady doctor shall be included as a member of the Medical Board whenever a women candidate is to be examined.

(b) If the officer submitting the application is in India, then the examining medical authority shall be:—

- (1) A Medical Board, in the case of all Group ‘A’ or Group ‘B’ Government employees;
- (2) A Civil Surgeon or Principal Medical Officer or Medical Officer of equivalent status in the case of all Group ‘C’ or “Group ‘D’ Government employees.

(c) Except in the case of the officer on leave elsewhere than in India no medical certificate of incapacity for service may be granted unless the applicant produced a letter to show that the Head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by Head of the office or department in which the applicant is employed with a statement of what appears from official records to be the applicant’s age. Where the applicant has a service book, the age there recorded should be reported.

5.20. Omitted.

5.21. (a) A succinct statement of the Medical case, and of the treatment adopted should, if possible, be appended.

(b) If the examining Medical Officer, although unable to discover any specific disease in the Government employee considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected from the Head of the Office or Department of the grounds on which it is proposed to invalid the Government employee.

Note.—The requirements of this rule need not be insisted upon in the case of a Group ‘D’ Government employee invalidated for general debility while his age is less than 55 years and the Medical Officer certifies him to be of over that age.

5.22. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of a Government employee whose recorded age is less than fifty-five years, but a Medical Officer is at liberty, when certifying that the Government employee is incapacitated for further service by general debility, to state his reasons for believing the age to be understated.

Note.—Senile Contract, arterial changes consequent on senile decay, general nervous break down, and commencing cataract may be treated as specific disease as they may come before a man reaches the 55th year of his age.

5.23. Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in Hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

The Medical Officer should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large, the examination should, if possible, be conducted by two Medical Officers.

(ii) Form of Medical Certificate elsewhere than in India

5.24. The form of medical certificate given by the Medical Board arranged by the Indian Mission abroad, respecting an officer applying for invalid pension while on leave elsewhere than in India, shall be as follows:—

“We have carefully examined Mr.....taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. His incapacity does not appear to us to have been caused by irregular or intemperate habits.

Note.—(If the incapacity is obviously the result of intemperance substitute for the last sentence :

“In our opinion his incapacity is the result of irregular or intemperate habits”).

If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:

“We are of opinion that A/B, is fit for further service of a less laborious character than that which he has been doing (or may, after resting for months, be fit for further service of a less laborious character than that which he has been doing).

5.25. If any doubt arises regarding the validity of a certificate by the Medical Board arranged by Indian Mission abroad the Accountant-General must not of his own motion reject the certificate as invalid, but submit the matter for the decision of the Government.

(iii) Form of Medical Certificate in India

5.26. The form of the certificate to be given respecting a Government employee applying for pension in India is as follows:

“Certified that I (We) have carefully examined A.B., son of C.D., a _____ in the _____. His age is by his own statement _____ years. I (We) consider A.B., to be completely and permanently incapacitated for further service of any kind (or in the Department to which he belongs) in consequence of (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note.—If the incapacity is obviously the result of intemperance, substitute for the last sentence; “In my (our) opinion, his incapacity is directly due to irregular or intemperate habits/has been accelerated or aggravated by the irregular or intemperate habits.”

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made).

“I am (We are) of opinion that A.B, is fit for further service of a less laborious character than that which he has been doing (or may, after resting for _____ months, be fit for further service of a less laborious character than that which he has been doing)”.

See also Rule 5.12.

SECTION IV.—Superannuation Pension

A. CONDITIONS OF GRANT

5.27. A superannuation pension is granted to a Government employee entitled or required, by rule, to retire at a particular age. See Rule 3.26 of Volume I of these Rules.

No claim to compensation from a Government employee who is required to retire at a particular age under rules will be entertained.

5.28. Omitted.

5.29. Omitted.

B.—PROCEDURE

5.30. Each Government employee’s case should be taken up when he is approaching the age of superannuation and before the expiry of each extension of service.

5.31. Omitted.

5.32. (1) Under rule 4 of the Punjab Civil Services (Premature Retirement) Rules, 1975, a retiring pension is granted to a Government employee who retires or is required to retire under the aforesaid Rules.

(2) (i) A Government employee compulsorily retired from service as a penalty may be granted, by the authority competent to impose such penalty, pension or gratuity or both at a rate not less than two-thirds and not more than full compensation pension or gratuity or both admissible to him on the date of his compulsory retirement.

(ii) Whenever in the case of a Government employee, the Governor passes an order (whether original, appellate or in exercise of powers of review) awarding a pension less than the full compensation pension admissible under these rules, the Punjab Public Service Commission shall be consulted before such order is passed.

Explanation.—In this sub-rule, the expression “pension” includes gratuity.

(iii) A pension granted or awarded under clause (i) or as the case may be, under clause (ii), shall not be less than three thousand and five hundred rupees per month.

5.32-A. to 5.35. Omitted.

CHAPTER VI
AMOUNT OF PENSIONS
SECTION I—General

6.1. The amount of pension that may be granted is determined by length of service as set forth in the succeeding sections of this Chapter. Fraction of a year equal to three months and above shall be treated as a completed six-monthly period for the purpose of calculation of any pension admissible to such an officer.

Clarification.—The fraction of a year equal to three months or above shall be treated as a completed six monthly period only in those cases where an employee has completed ten years of qualifying service. This benefit shall be available in the case of Death-cum-Retirement Gratuity also.

6.2. Pension fixed in rupees should be rounded off to the next higher rupee. In other words the pension should be calculated up to whole rupee and if there is any remainder, it should be rounded off to next higher rupee.

Note 1.—The rounding off to the next higher rupee is to be done once and at the initial stage.

Note 2. Omitted.

6.3. Omitted.

6.4. Omitted.

6.5. If a Government employee who is entitled to compensation pension accepts instead another post in the public service and subsequently becomes again entitled to receive pension of any class, the amount of such pension shall not be less than that he could have claimed if he had not accepted the post.

LIMITATIONS

6.6. to 6.8. Omitted.

6.9. If a Government employee has held more than one post, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of several pensions which would have been admissible to him if he had held, each post separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in sections II to III of this Chapter.

6.10. A Government employee is not entitled for service in a post conjointly with another post, to any pension which would have been admissible to him if he had held the post separately and alone.

SECTION II.–Old Pension Rules

6.11 to 6.15. Omitted.

6.15.A. Omitted.

SECTION III.–REVISED PENSION RULES

A–GRATUITY AND PENSION

6.16. A Government employee retiring in accordance with the provisions of these rules before completing the qualifying service of ten years shall not be entitled to any pension but he shall be entitled to a service gratuity calculated at the uniform rate of half month's emoluments for every completed six monthly period of service.

6.16-A. (1) Full pension to a Government employee, who retires on or after the 1st day of December, 2011, in accordance with the provisions of these rules, shall be admissible after rendering a qualifying service of twenty-five years and shall be calculated at the rate of fifty per cent of emoluments or average emoluments, whichever is more beneficial to him:

Provided that the pension so calculated shall, in no case be, less than three thousand and five hundred rupees per month.

(2) In case the qualifying service of a Government employee is ten years or more but less than twenty-five years, the amount of pension shall be such proportion of the maximum pension admissible under sub-rule (1) as the qualifying service rendered by him bears to the maximum qualifying service of twenty-five years:

Provided that the pension so calculated, in no case, shall be less than three thousand and five hundred rupees per month.

Exception.–In the case of a Government employee who is a member of Punjab Civil Service (Judicial Branch), full pension, with effect from the 1st day of January, 2006, is admissible on the basis of a qualifying service of twenty years.

B.–DEATH-CUM-RETIREMENT GRATUITY

6.16-AA. (1) An employee who has become eligible for pension or gratuity under the rules applicable to him and has completed five year's qualifying service, may, on his retirement from service, be granted a gratuity not exceeding the amount specified in sub-rule (3).

(2) (a) If an employee, dies while in service, a gratuity, not exceeding the amount specified in sub-rule (3), may be paid to the person or persons on whom the right to receive the gratuity is conferred under rule 6.16-B or if there is no such person, it shall be paid in equal shares to those surviving members of a Government employee's family as detailed in rule 6.16-B who belong to categories (i) to (iv),

mentioned therein except widowed daughters. Where there are no such surviving members, but there is/are surviving widowed daughters and/or one or more members of the family of the Government employee who belongs to categories (iv) to (ix), in the definition, the gratuity may be paid to all such persons in equal shares.

(b) Omitted.

(3) In the case of Government employees retiring on or after the 1st day of January, 2006, the amount of gratuity shall be 1/4th of the 'emoluments' of the employee for each completed six monthly period of qualifying service subject to 16½ (sixteen and a half) times the 'emoluments' in the case of Group 'A', Group 'B' and Group 'C' employees and 17½ (seventeen and a half) times the 'emoluments' in the case of Group 'D' employees, provided that in no case gratuity shall exceed ten lakh rupees. In the case of death of an employee in harness, the gratuity shall be admissible at the following rates: –

Qualifying Service	Amount of Death Gratuity
(i) Less than one year	Two times the emoluments.
(ii) One year or more but less than five years	Six times the emoluments.
(iii) Five years and more but upto twelve years	Twelve times the emoluments.
(iv) Above twelve years	Half of the emoluments for each completed six monthly period of qualifying service subject to a maximum of thirty-three times the emoluments : Provided that in no case Gratuity shall exceed ten lakh rupees.

(4) If an officer who has become eligible for pension or gratuity under the rules applicable to him, dies after he has retired from service, and the sum actually received by him at the time of death on account of such gratuity or pension together with the gratuity granted under sub-rule (1), and the commuted value of any portion of pension commuted by him are less than the amount equal to twelve times his 'emoluments' a gratuity equal to the deficiency may be granted to the person or persons specified in sub-rule (2).

(4a) If a person who in the event of death of a Government employee while in service is eligible to receive gratuity in terms of the preceding sub-rules read with rule 6.16-B or in terms of rule 6.16-C is charged with the offence of murdering the Government employee or for abetting the commission of such an offence, his claim

to receive his share of gratuity shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(4b) If on the conclusion of the criminal proceedings referred to in sub-rule (4a), the person concerned—

- (i) is convicted for the murder or for abetting in the murder of the Government employee, he shall be debarred from receiving his share of gratuity which shall be payable to other eligible member of the family, if any;
- (ii) is acquitted of the charge of murdering or for abetting in the murder of the Government employee, his share of gratuity shall be payable to him.

(4c) The provisions of sub-rule (4a) and (4b) shall also apply to the undisbursed gratuity referred to in sub-rule (4).

Note 1.—The residuary gratuity mentioned in sub-rule (4) is admissible only if the death of the Government employee takes place within five years from the date of his retirement.

Note 2.—The words ‘sums actually received’ under this rule will also include the amount of temporary increase in pension for determining the amount of residuary gratuity payable to the nominee/legal heirs of the deceased Government employee.

(5) The ‘emoluments’ for the purpose of this Section, will be subject to a maximum of Rs. 77,000 and in the case of Government employees who are in receipt of Non-practising Allowance Rs. 85,000 and these shall be reckoned in accordance with rule 6.19-C of this Volume:

Provided that in case of all kinds of gratuity, dearness allowance admissible on the date of retirement or death shall also be treated as emoluments alongwith the emoluments defined in that rule.

Note.—In the case of a Government employee who during the currency of –

- (i) leave preparatory to retirement up to 300 days on full pay; or
- (ii) earned leave, earn an increment which is not withheld, he is entitled to count the pay which he would have drawn had he remained on duty, as “emoluments” for the purpose of death-cum-retirement gratuity under this sub-rule, even though the increase in pay is not actually drawn during leave.

(6) **Recoveries from gratuities or pension.**—Government will have the right to effect recoveries from a gratuity sanctioned under this rule, in the circumstances as recoveries can be effected from an ordinary pension under rule 2.2 (b).

(7) **Dismissal or removal for misconduct, insolvency or inefficiency.**—No gratuity may be granted under this rule, if the officer was dismissed or removed for misconduct, insolvency or inefficiency.

(8) Omitted.

(9) If the amount of gratuity is not paid to the officer within three months from the date of becoming the same due, an interest at the rate applicable to deposits in General Provident Fund, may be allowed to be paid by the competent authority for the period beyond the period of three months to the end of the month preceding the month in which the payment is actually made, if such payment was delayed because of administrative lapse or reasons beyond the control of the officer concerned. In all such cases where interest has to be paid, action should be taken to fix responsibility for the delay and disciplinary action should be taken against the officer responsible for it.

Note.—Nothing contained in this sub-rule will apply to the payment of arrears which may become due as a result of enhancement of the emoluments after retirement or liberalisation of the Pension Rules from a date prior to the date of retirement of Government employee.

6.16-B. (1) For the purpose of this rule:—

- (a) “family” shall include the following relatives of the officer:—
- (i) wife or wives including judicially separated wife or wives, in the case of male officer;
 - (ii) husband including judicially separated husband, in the case of female officer;
 - (iii) sons;
 - (iv) unmarried and widowed daughters } (including step-children
and adopted children)
 - (v) brothers below the age of 18 years and unmarried and widowed sisters, including step brothers and sisters;
 - (vi) father; } (including adopted parents in case of individuals
(vii) mother; } whose personal law permits adoption.
 - (viii) married daughters; and
 - (ix) children of a predeceased son.
- (b) “persons” for the purpose of these rules shall include any company or association or body of individuals, whether incorporated or not.

(2) An officer shall, at any time after confirmation, make a nomination conferring on one or more persons, the right to receive any gratuity that may be sanctioned under sub-rules (2) and (4) of rule 6.16-AA and any gratuity which having become admissible to him under sub-rule (1) of that rule has not been paid to him before death:

Provided that if at the time of making the nomination the officer has a family the nomination shall not be in favour of any person or persons other than the members of his family.

(3) If an officer nominates more than one person under sub-rule (2), he shall specify in the nomination the amount or share payable to each of the nominees, in such manner as to cover the whole amount of the gratuity.

(4) An officer may provide in a nomination –

(a) in respect of any specified nominee, that in the event of his predeceasing the officer, the right conferred upon that nominee shall pass to such other persons as may be specified in the nomination, provided that if at time of making the nomination the officer has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family;

(b) that the nomination shall become invalid in the event of the happening of the contingency specified therein.

(5) The nomination made by an officer who has no family at the time of making it, or a provision made in nomination under clause (a) of sub-rule (4) by an officer whose family consists, at the date of making the nomination of only one member, shall become invalid in the event of the officer subsequently acquiring a family or an additional member in the family as the case may be.

(6) (a) Every nomination shall be in such one of the forms Pen. I-C to Pen. I-F as may be appropriate in the circumstances of the case.

Note.—The forms provide for only one alternate nominee and it is not open to a Government employee to nominate more than one alternate nominee against any original nominee.

(b) An officer may at any time cancel nomination, by sending a notice in writing to the appropriate authority; provided that the officer shall, along with such notice, send a fresh nomination made in accordance with this rule.

(7) Immediately on the death of a nominee, in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (4), or on the occurrence of any event, by reasons of which the nomination becomes invalid, in

pursuance of clause (b) of that sub-rule or sub-rule (5), the officer shall send to the appropriate authority a notice in writing formally cancelling the nomination, together with a fresh nomination made in accordance with this rule.

(8) Every nomination made, and every notice of cancellation given, by an employee under this rule, shall, be sent by him to Head of the Department in the case of a Group 'A' or Group 'B' employee, and to the Head of his office in the case of Group 'C' or Group 'D' employee. Immediately on receipt of a nomination from Group 'C' or Group 'D' employee the Head of the office shall countersign it, indicating the date of receipt, and keep it in safe custody.

(9) Every nomination made, and every notice of cancellation given by an officer, shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in sub-rule (8).

Note.—While a nomination as also any change therein will normally be made by an officer during his service, he may be allowed to make a fresh nomination after retirement if such a contingency arises.

C. DEATH/RETIREMENT BENEFITS FOR TEMPORARY GOVERNMENT EMPLOYEES

6.16-C. (1) A temporary Government employee who may retire at the age of superannuation, or under the provisions of rule 5.32, or on compensation or invalid pension without confirmation on any post, shall be entitled to retiring or superannuation pension, compensation or invalid pension and service gratuity or death-cum-retirement gratuity, as the case may be, on the same scale as admissible to permanent Government employees.

(2) The family of a temporary Government employee who dies in harness, shall be eligible for death gratuity on the same scale as provided in sub-rule (3) of rule 6.16AA, subject to the further conditions specified in this rule.

(3) The grant of gratuity under this rule shall be subject to the service rendered by the Government employee concerned being held by the authority competent to appoint him to be approved and satisfactory. No gratuity shall be admissible: —

- (a) in a case where the Government employee concerned resigns his post or is removed or dismissed from Government service;
- (b) to a probationer or other Government employee discharged for failure to pass the departmental test or examination; and
- (c) to a re-employed pensioner.

6.16-D. Omitted.

FAMILY PENSION SCHEME

6.17. The provisions of this rule shall apply:

- (a) to a regular employee of Punjab Government in a pensionable establishment on or after the 1st July, 1964 ; and
- (b) to a Punjab Government employee who was in service on the 30th June, 1964 and came to be governed by the provisions of Family Pension Scheme, 1964, for Punjab Government employees.

Note.— In the case of a Government employee who retired from service or died at any time before the publication of this rule, the provisions of Family Pension Scheme , 1964 as in force on the date that Government employee retired or died shall apply.

(1) The rate of family pension in respect of a Government employee who dies after retirement shall be as under: –

- (a) forty *per cent* of the pay subject to a minimum of three thousand and five hundred rupees if the pay of the deceased on the date of his retirement does not exceed ten thousand rupees.
- (b) thirty *per cent* of the pay subject to a minimum of four thousand rupees, if the pay of the deceased on the date of retirement exceeds ten thousand rupees.

Note.— The above rates are effective from the 1st day of January, 2006.

Note 1.— ‘pay’ for this purpose means the pay as defined in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I, which the person was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death while in service or immediately before his retirement, a person has been absent from duty on leave, including extraordinary leave, or under suspension, ‘pay’ means the pay which he draws immediately before proceeding on such leave or such suspension and the term ‘pay’ shall also include dearness pay.

Note 2.—The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee:

Provided that in no case a family pension in excess of the maximum determined under this rule shall be allowed.

(2) The Scheme will be administered as below:—

- (i) The family pension will be admissible in case of death while in service or after retirement if at the time of death the retired Government employee was in receipt of a compensation, invalid, retiring or superannuation pension.

In case of death while in service, the Government employee should have completed a minimum period of one year of continuous service, without break. The family pension will not be admissible in cases of death after retirement, if the retired employee at the time of death was in receipt of gratuity only:

Provided that the condition of completing a minimum period of one year of continuous service will not be applicable in the case of Government employee who has been medically examined and declared fit for entry into Government service.

- (ii) The term “one year continuous service” used in clause (i) is inclusive of permanent and temporary service in a pensionable establishment and any period of leave including extraordinary leave but does not include Boy Service and suspension period unless that is regularised by the competent authority.
- (iii) In the cases of persons who are transferred to Punjab State from the Central Government or other State Governments and in whose case it has been agreed to count their previous service for pension the Family Pension Scheme would be applicable in the event of their death/retirement without putting in one year continuous service under the State Government, if their total service at the time of death (inclusive of service rendered under the previous Government) exceeds one year.
- (3) “Family” for purposes of this Scheme will include the following relatives of the Government employee:—
 - (a) wife in the case of a male Government employee and husband in the case of a female Government employee;
 - (b) a judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;
 - (c) sons upto the age of twenty-five years;
 - (d) daughters upto the age of twenty-five years irrespective of their marriage but unmarried daughters shall be included in the family irrespective of their age; and
 - (e) parents who were wholly dependent on the Government employee, when he/she was alive provided the deceased employee had left behind neither a widow nor a child.

Note 1.— (c) and (d) will include children adopted legally before retirement.

Note 2.– Marriage after retirement shall be recognised for purposes of this Scheme.

(4) The pension will be admissible–

- (i) (a) in the case of widow or widower up to the date of death or remarriage whichever is earlier;
- (b) in the case of a son until he attains the age of twenty-five years or till he starts earning his livelihood, whichever is earlier; and
- (c) to a daughter upto the age of twenty-five years irrespective of her marriage. However, an unmarried daughter shall be entitled to family pension irrespective of her age. But, family pension shall not be admissible to a daughter, if she starts earning her livelihood:

Provided that if the son or daughter of a Government employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after becoming ineligible for family pension under sub-clauses (b) and (c), the family pension shall be payable to such son or daughter for life subject, to the following conditions, namely:–

- (i) if such son or daughter is one among two or more children of the Government employee, the family pension shall be initially payable to the children in the order set out in the sub-rule (3) until the last child becomes ineligible for family pension under sub-clauses (b) and (c) and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him or her as the case may be, for life;
- (ii) if there are more than one such son or daughter suffering from disorder or disability of mind or they are physically crippled or disabled, the family pension shall be paid in the following order, namely:–
 - (a) firstly to the son, and if there are more than one son, the younger of them will get the family pension only after the life time of the elder;
 - (b) secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the life time of the elder;
- (iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;

- (iv) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out as far as possible, the exact mental or physical condition of the child;
- (v) the person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of a Civil Surgeon to the effect that he or she continued to suffer disorder or disability of mind or continues to be physically crippled or disabled.

Explanations,—(a) The disability which manifests itself before or after the retirement or death of the Government employee shall be taken into account for the purpose of grant of family pension under this rule.

(b) Omitted.

(c) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood.

(d) In such cases it shall be the duty of the guardian to furnish a certificate to the Treasury or Bank, as the case may be, every month that (i) he or she has not started earning his/her livelihood; (ii) Omitted.

Explanation (2).—A son or a daughter shall be deemed to be earning his/her livelihood if his/her monthly income is equal to the prescribed minimum family pension of Rs. 3500 plus dearness relief thereon. Similarly, parents whose total monthly income from all sources is equal to or more than the prescribed minimum pension of Rs. 3500 plus dearness relief thereon, shall not be considered to be dependent upon the deceased Government employee and no family pension shall be admissible to them.

Note 1.—When a Government employee is survived by more than one widow, the pension will be paid to them in equal shares. On the death of a widow, her share of the pension will become payable to her eligible minor child, if at the time of her death, a widow leaves no eligible minor child, the payment of her share of the pension will cease.

Note 2.—Where a Government employee is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be paid the share of pension which the mother would have received if she had been alive at the time of the death of the Government employee.

Note 3.—Except as provided in Note 1, pension awarded under this scheme will not be payable to more than one member of the family of a Government employee at the same time. It will first be admissible to the widow or widower and thereafter to the eligible minor children.

Note 4.—In the event of remarriage or death of the widow or widower, the pension will be granted to the minor children including the posthumous child through their natural guardian, if any, otherwise through their de facto guardian on production of indemnity bond in Form 'A'. In disputed cases, however, payment will be made through a legal guardian (i.e. guardian, appointed by a court of law).

Note 5.—The *ad hoc* increase in pension will not be admissible on the family pension granted under this scheme.

(5) Omitted.

(6) Omitted.

(7) Omitted.

(8) Widows or widower of such Government employees as are governed by this Scheme will not be entitled to family pension under any other rules.

(9) This scheme is not applicable to—

(a) Staff paid from contingencies;

(b) Work-charged staff;

(c) Casual labour;

(d) Contract employees; and

(e) Employees without a minimum service of one year.

(10) The commutation of pension has no effect on the quantum of family pension as the rate of family pension is based on the pay which the Government employee was drawing immediately before his retirement and not on the pension sanctioned to him.

(11) In case both the wife and the husband are Government employees and are governed by the provisions of this scheme and one of them dies while in service or after retirement, the family pension in respect of the deceased Government employee shall become payable to the surviving husband or wife, as the case may be, and in the event of the death of the surviving husband or wife, the surviving child or children shall be granted two family pensions in respect of the deceased parents.

(12) Where a female Government employee or a male Government employee dies leaving behind a judicially separated husband or wife and no child, the family pension in respect of the deceased employee shall be payable to the surviving person.

(13) (a) Where a female Government employee or a male Government employee dies leaving behind a judicially separated husband or wife with a child or children, the family pension payable in respect of the deceased employee shall be payable to the surviving person provided he or she is the guardian of such a child or children.

(b) Where the surviving person has ceased to be the guardian of such a child or children, such family pension shall be payable to the person who is the actual guardian of such a child or children:

Provided that where in a case the judicial separation is granted on the ground of adultery and the death of the Government employee takes place during the period of such judicial separation, the family pension shall not be payable to the person surviving.

(13-a) If a person who in the event of death of a Government employee while in service, is eligible to receive family pension under this rule, is charged with the offence of murdering the Government employee or for abetting the commission of such an offence, the claim of such a person, including that of other members of the family eligible to receive the family pension shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(13-b) If on the conclusion of the criminal proceedings referred to in sub-rule (13-a), the person concerned –

- (i) is convicted for the murder or for abetting the murder of the Government employee, such a person shall be debarred from receiving the family pension which shall be payable to other eligible members of the family, from the date of death of the Government employee.
- (ii) is acquitted of the charge of murder or for abetting the murder of the Government employee, the family pension shall be payable to such a person from the date of death of the Government employee.

(13-c) The provisions of sub-rules (13-a) and (13-b) shall also apply for the family pension becoming due on the death of a Government employee after his retirement.

(14) Omitted.

6.17-A. (1) The rate of family pension in respect of a Government employee who dies in harness, for a period of first fifteen years from the date of death or till the Government employee would have attained the age of sixty-five years, had he survived, whichever period is less, shall be as follows:–

Pay on the date of death	Rate of Family Pension per month
If the pay does not exceed ten thousand rupees	Sixty per cent of the pay.
If the pay exceeds ten thousands rupees	Fifty per cent of the pay subject to a minimum of six thousand rupees.

(2) The rate of family pension in respect of Government employees who die in harness, after fifteen years from the date of his death or till the Government employee would have attained the age of sixty five had he survived, whichever period is less, shall be as follows: –

Pay on the date of death	Rate of Family Pension per month
If the pay does not exceed ten thousand rupees	Forty per cent of the pay.
If the pay exceeds ten thousands rupees	Thirty per cent of the pay subject to a minimum of four thousand rupees.

Note.–The rates mentioned in this rule are effective from the 1st day of December, 2011.

6.18. In addition to the pension or family pension admissible under these rules, the old pensioners or family pensioners shall be entitled to an additional pension calculated on the basis of their age and basic pension/family pension at the rates given below :–

Age of the pensioner or family pensioner	Rate of additional pension or family pension
From 65 years to less than 70 years	Five percent
From 70 years to less than 75 years	Ten percent
From 75 years to less than 80 years	Fifteen percent
From 80 years to less than 85 years	Twenty-five percent
From 85 years to less than 90 years	Thirty-five percent
From 90 years to less than 95 years	Forty-five percent
From 95 years to less than 100 years	Fifty-five percent
100 years or more	Hundred percent

Notes.– (i) The additional pension/family pension admissible on attaining the age of 65 years or above, shall be admissible from the 1st day of the month in which the date of birth of a pensioner falls. Those pensioners or family pensioners whose date of birth falls on the first day of a month, shall also be entitled to additional pension/family pension with effect from the first day of that month.

(ii) The Accountant General (A&E), Punjab, shall ensure that the date of birth and the age of pensioner or family pensioner is invariably indicated in the form PEN-I and the Pension Payment Order to facilitate payment of additional pension/family pension by the Pension Disbursing Authority as soon as it becomes due. The amounts of pension or family pension and additional pension/family pension shall be shown distinctly in the Pension Payment Order.

(iii) The benefit of additional pension or family pension shall also be admissible to the pensioners or family pensioners belonging to the All India Services of Punjab cadre.

(iv) If the date of birth is not recorded in the Pension Payment Order or the office record, additional pension/family pension, shall be payable on the basis of any one of these documents: PAN Card, Matriculation Certificate, Passport, and Adhaar Card (if it contains date of birth). A pensioner, who cannot produce any of these documents, shall be asked to produce a certificate of age from the Chief Medical Officer of the district in which he/she resides and his/her eligibility for the payment of additional pension shall be determined on the basis of the age adjudged by the said medical authority.

(v) The provisions of this rule are effective from the 1st day of December, 2011.

6.18-A. The procedure to be followed in respect of claims arising out of this scheme is as under:—

Furnishing of 'Family' details—

(i) All employees entitled to the benefit of this Scheme shall be required to furnish details of their 'family' as defined in sub-rule (3) of rule 6.17, i.e., the date of birth of each member with his or her relationship with the Government employee. This statement shall be countersigned by the Head of Office and pasted in the service book of the Government employee. Government employee will thereafter be required to keep this statement up-to-date. Additions and alterations in this statement will be made by the Head of Office from time to time on receipt of information from the Government employee concerned.

Cases where death occurs while in service—

(ii) On receiving information of death of a Government employee while in service, the administrative authority will send a letter as prescribed in Form PEN-16 to the family of the deceased and ask for the necessary documents mentioned therein.

(iii) On receiving the documents referred to in clause (ii) the pension sanctioning authority will sanction family pension as in Form PEN-17 and send all these documents along with the service book of the Government employee to the Accountant-General, Punjab, who will then issue the Pension Payment Order to the beneficiary.

(iii-A) In the case of a Government employee who dies while on deputation to Central or any other State Government or while on foreign service, action to authorise the payment of family pension and Death-cum-retirement gratuity, in accordance with the provisions of this scheme, shall be taken by the Audit Officer or the Head of the Office, as the case may be, of the Cadre authority which sanctioned the deputation of the Government

employee to the Central or any other State Government or to foreign service.

Cases where death occurs after retirement –

- (iv) In order to facilitate quick payment of family pension to the widow/widower of the pensioner, Pension Payment Order, as amended, provides for the admissibility of the family pension to her/him under the same Pension Payment Order under which the pensioner was drawing his pension. While applying for the grant of pension, the Government employee would furnish three copies of his joint photographs with wife/husband; one of which will after having been attested by the pension sanctioning authority be henceforth pasted in the pension payment order, pensioner's portion. The amount of family pension admissible will be mentioned in the pension payment order. The Treasury Officer will start paying family pension to the widow or widower on receipt of death certificate of the pensioner and the Form of application in Form PEN.16(a) for the grant of family pension to her or him intimating the change to the Accountant-General, Punjab, in the Form PEN-18. If the widow or widower is also not there and the family pension is payable to the minor children through their guardian, the guardian will apply on behalf of the children with two copies of his photograph and the other necessary documents to the administrative authority on surrendering the First Pension Payment Order. Fresh Pension Payment Order will have to be issued in such cases.

6.19. In cases where the pensionary liability is required to be allocated between two or more Governments, only the net amount of gratuity payable should be allocated between the different Governments.

FORM 'A'

[Referred to in Note 4, sub-rule (4) of Rule 6.17]

KNOW ALL MEN by these presents that we–

(a) _____ (b) the widow/son/brother, etc., of deceased, resident of _____ (c) _____ (hereinafter called "the Obligor") and (d) _____, son/wife/daughter of _____, resident of _____ and _____, son/wife/daughter of _____, resident of _____, the sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held and firmly bound to the Governor of Punjab (hereinafter called "Government") in the sum of Rs. _____ (Rupees _____) only well and truly to be paid to the Government on demand and without a demur for which payment we bind ourselves and our respective

heirs, executors, administrators, legal representatives, successors and assigns by these presents.

Signed this _____ day of _____ two thousand and _____.

WHEREAS (c) _____ was at time of his death in the employment of the Government/receiving a pension at the rate of Rs. _____ (Rupees _____) only per month from the Government.

AND WHEREAS the said (c) _____ died on the _____ day of _____ 20_____ and there was due to him at the time of his death the sum of Rs. _____ (Rupees _____) for and towards share of his minor son/daughter in the death-cum-retirement gratuity.

AND WHEREAS the Obligor claims to be entitled to the said sum as *de facto* guardian of the minor son or daughter of the said (c) _____ but has not obtained till the date of these presents the certificate of guardianship from any competent court of law in respect of the said minor(s).

AND WHEREAS the Obligor has satisfied the (c) _____ that he/she is entitled to the aforesaid sum and that it would cause undue delay and hardship if the Obligor be required to produce the certificate of guardianship from the competent court of law before payment to him of the said sum of Rs. _____.

AND WHEREAS the Government has no objection to the payment of the said sum to the Obligor but under Government rules and orders it is necessary for the Obligor to first execute a bond with one surety/two sureties to indemnify the Government against all claims to the amount so due as aforesaid to the said (c) _____ before the said sum can be paid to the Obligor.

AND WHEREAS the Obligor and at his/her request the surety/sureties have agreed to execute the bond in the terms and manner hereinafter contained.

NOW THE CONDITION OF THIS BOND is such that if after payment has been made to the Obligor, the Obligor and/or the surety/sureties shall in the event of a claim being made by any other person against the Government with respect to the aforesaid sum of Rs. _____ refund to the Government the said sum of Rs. _____ and shall otherwise indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of the claim thereto. THEN the above-written bond or obligation shall be void and of no effect but otherwise it shall remain in full force, effect and virtue.

AND THESE PRESENTS ALSO WITNESS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the surety/sureties in respect of or in relation to the obligation or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties, shall but for this provision have the effect of so releasing the surety/sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the surety/sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these presents.

IN WITNESS WHEREOF the Obligor and the surety/sureties hereto have set and subscribed their respective hands hereunto on the day, month and year above-written.

Signed by the above-named 'Obligor' in the presence of –

1. _____
2. _____

Signed by the above-named 'Surety/Sureties' –

1. _____
2. _____

Accepted for and on behalf of the Governor of Punjab by _____ (Name and designation of the Officer directed or authorised, in pursuance of Article 299 (1) of the Constitution, to accept the bond for and on behalf of the Governor) in the presence of _____ (Name and designation of witness).

Note I.–

- (a) Full name of the claimant referred to as the 'Obligor'.
- (b) State relationship of the Obligor to the deceased.
- (c) Name of the deceased Government employee.
- (d) Full name or names of the sureties with name or names of the father(s)/ husband(s) and place of residence.
- (e) Designation of the officer responsible for payment.

Note II.–The Obligor as well as the sureties should have attained majority so that the bond may have legal effect or force.

SECTION V.—Emoluments and Average Emoluments

A.—EMOLUMENTS RECKONING FOR PENSION

6.19-A. Omitted .

6.19-B. Omitted .

6.19-C. The term ‘emoluments’ when used for this purpose shall mean ‘pay’ as defined in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I including dearness pay, special pay and non-practising allowance as determined by the orders of the Government issued from time to time, which the employee was receiving immediately before his retirement, or the date of his death.

Explanation.—With effect from the 1st day of December, 2011, secretariat pay admissible to certain categories of employees borne on the establishment of Punjab Civil Secretariat and equivalent offices is also included in the emoluments for the purposes of this rule. This benefit, however, shall not be admissible to those employees who belong to other services, cadres or establishments, but are posted in the aforesaid offices.

Note 1.—If a Government employee immediately before his retirement or death, while in service, has been absent from duty on leave with allowances, for which leave salary is payable or having been suspended had been reinstated without forfeiture of service his emoluments for the purpose of calculating service gratuity or death-cum-retirement gratuity shall be taken at what they would have been had he not been absent from duty or suspended.

Note 2.—Pay drawn in tenure appointment(s) shall count provided the service in tenure appointment (s) does not qualify for grant of special additional pension.

Note 3.—There shall be no change in the existing principle of reckoning those emoluments for pension which are paid by Government. In other words, the entire amount drawn as emoluments by a Government employee while on foreign service shall not count for pension and gratuity. In such a case, the pay which the Government employee would have drawn under the Government had he not been sent on foreign service, shall alone be taken into account.

Note 4.—If a Government employee immediately before his retirement or death, while in service had been absent from duty on extraordinary leave, or had been under suspension the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension, shall be the emoluments for the purpose of this rule.

Note 5.—If a Government employee immediately before his retirement or death while in service was on earned leave and earned an increment, which was not withheld, during the currency of the earned leave or during the currency of leave preparatory to retirement up to three hundred days, such an increment, though not actually drawn shall form part of his emoluments.

Note 6.— Omitted.

Note 7.—Where a pensioner who is re-employed in Government service elects in terms of rule 7.13 to retain his pension for earlier service and whose pay on re-employment, has been reduced by the amount not exceeding his pension, the element of pension by which his pay is reduced shall be treated as emoluments for the purpose of pension and gratuity.

6.20. & 6.21. Omitted.

B.—EMOLUMENTS NOT RECKONING FOR PENSION

6.22. & 6.23. Omitted.

C.—AVERAGE EMOLUMENTS

6.24. (1) The term “average emoluments” means the average calculated upon the last ten months of qualifying service.

Note.—Omitted.

(2) If during the last ten months of his service a Government employee has been absent from duty on leave with leave salary, and also on extraordinary leave which counts for pension or having been suspended, has been reinstated without forfeiture of service, his emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended: provided always that, except as provided in Note, his pension must not be increased on account of increase in pay not actually drawn.

Note.—In the case of a Government employee who during the currency of leave preparatory to retirement up to 300 days on full pay was on earned leave during the last ten months of service had earned an increment which was not withheld during the currency of the earned leave, such increment, though not actually drawn, shall be included in the average emoluments.

(3) If, during the last ten months of his service, a Government employee has been absent from duty on leave without leave salary (not counting for pension), or has been in Group ‘D’ service, or has been suspended under such circumstances that the period of suspension does not count as service, the period so passed should be disregarded in the calculation of the average emoluments, and an equal period before the ten months should be included.

(4) In the case of Government employees who are allowed to count their Military service for civil pension under rule 4.3 the average emoluments should be calculated on the basis of pay drawn in the Civil and the Military Department during the last ten months of service and the break, if any, between the Military service and the Civil Service should be disregarded and an equal period before the ten months should be included.

(5) Periods of joining time which fall within the last ten months of a Government employee's service should form part of ten months for the purpose of "average emoluments".

In case of joining time falling under clauses (a) and (b) of rule 9.15 of Volume I (Part I) of these rules, where the pay of a particular post is drawn, the actual 'emoluments' (not the actual joining time allowances) drawn should be taken for the purpose of average emoluments. In cases of joining time falling under clauses (b) of the said rule, the emoluments for calculation of average emoluments should be taken at what they would have been had the Government employee not been on joining time.

(6) Omitted.

(7) Except as provided in clauses (2) to (6) above, only emoluments actually received can be included in the calculation. For example, when a Government employee is allowed to count time retrospectively towards increase of pay, but does not receive intermediate increments are not reckoned in the calculations.

(8) In the case of section-writers whose service has been allowed to count for pension and of Press employees whose service qualifies under rule 3.28 "average emoluments" means the average earnings of the last seventy-two months in superior service.

Note 1.—This clause applies in the case of Press employee remunerated by a fixed rate of pay if his pay is met from the grant for piece-work.

Note 2.—Overtime earning of Press employees paid at piece-work rates may be taken into account in calculating average emoluments under this clause; but such earnings must be excluded in reckoning the average emoluments of Press employees (who draw pay at fixed rates).

If during the last 72 months of service a Press employe has been for some period on fixed pay and for other periods a piece-work employee overtime earning may be taken into account in calculating pension only for the period during which he was remunerated at piece-work rates.

(9) Basis for calculation of pension in respect of seasonal establishments governed by rule 3.18. For purposes of calculating of average emoluments for pension, in respect of seasonal establishments, the whole of the last ten months of service including the periods which count but during which no emoluments were drawn should enter into calculation and not merely the periods during which emoluments were drawn. The emoluments that should be taken into account should under clauses (7) above be those actually drawn during that period.

6.25. Time table for the work.—(1) As soon as the Head of Office receives intimation regarding death of a Government employee while in service, he shall initiate immediate action for obtaining claims for family pension and death-cum-retirement gratuity from the beneficiary or beneficiaries as provided in rule 6.18-A(ii).

(2) (i) The Head of Office shall go through the service book or service record of the deceased Government employee and satisfy himself as to whether annual certificates of verification of service for the entire service are recorded therein.

(ii) If there are any periods of unverified service, the Head of Office shall accept the unverified portion of service as verified on the basis of valid entries in the service book or service record. For this purpose, the Head of Office may rely on any other relevant material to which he may have ready access. While accepting the unverified portion of service, the Head of Office shall ensure that service was continuous and was not forfeited on account of dismissal, removal or resignation from service.

(iii) (a) For the purpose of determination of emoluments for family pension and death-cum-retirement gratuity, the Head of Office shall normally confine the verification of the correctness of emoluments for a maximum period of one year preceding the date of the death of the Government employee.

(b) In case, the Government employee was on extraordinary leave on the date of death, the correctness of the emoluments for a maximum period of one year which he drew preceding the date of the commencement of the extraordinary leave shall be verified.

(iv) The process of determination of qualifying service and qualifying emoluments shall be completed within one month of the receipt of the intimation regarding the date of death of the Government employee and the amount of family pension and death-cum-retirement gratuity shall be calculated accordingly.

6.26. Determination of the amount of family pension and gratuity where service records are incomplete.—If in any particular case the service book or service record has not been maintained properly despite the Government orders on the subject, and it is not possible for the Head of Office to accept the unverified portion of service book or service record, the Head of Office shall not proceed with the verification of the entire spell of service. The verification of service in such a case shall be confined to the following spells of service:—

(A) For the purpose of Family Pension Scheme, 1964,—

(i) If the deceased Government employee at the time of death had rendered more than one year of service but less than seven years service, the service and the emoluments for the last years of service shall be verified

and accepted by the Head of Office and the amount of family pension determined under rule 6.17.

- (ii) If the deceased Government employee at the time of his death had rendered more than seven years of service, the service for the last seven years and emoluments for service rendered in the last year shall be verified and accepted by the Head of Office and the amount of Family Pension and the period of its tenability determined under rule 6.17-A.
 - (iii) (a) If the deceased Government employee at the time of death had rendered more than seven years service and the service of last seven years is not capable of being verified and accepted by the Head of Office but the service rendered during the last year is capable of being verified and accepted, the Head of Office, pending the verification of service for seven years, shall calculate the amount of family pension under rule 6.17.
 - (b) The service for the last seven years shall be verified and accepted within the next two months and the amount of family pension at the enhanced rates and the period of its tenability determined under rule 6.17-A.
 - (iv) The determination of the amount of family pension in terms of sub-clauses (i), (ii) and (iii) (a) shall be done within one month of the receipt of intimation of the date of death of the Government employee.
- (B) For the purpose of death-cum-retirement gratuity,—
- (i) If the deceased Government employee had, at the time of death, rendered more than five years' qualifying service but less than twenty-four years of qualifying service, and the spell of last five years service has been verified and accepted by the Head of Office under clause (A), the amount of death-cum-retirement gratuity shall be equal to twelve times of the deceased Government employee's emoluments as indicated in rule 6.16-AA (3). Where the verified and accepted service is less than five years of qualifying service, the amount of death-cum-retirement gratuity shall be equal to twice or six times of his emoluments as indicated in that rule.
 - (ii) If the deceased Government employee had rendered more than twenty-four years of service and the entire service is not capable of being verified and accepted, but the service for the last five years has been verified and accepted under sub-clause (i), the family of the deceased Government employee shall be allowed, on provisional basis,

the death-cum-retirement gratuity equal to twelve times of the emoluments. Final amount of the gratuity shall be determined by the Head of Office on the basis of the entire spell of service which may be verified and accepted by the Head of Office within a period of six months from the date on which the authority for the payment of provisional gratuity was issued, The balance, if any, becoming payable as a result of determination of the final amount of death-cum-retirement gratuity shall then be authorised to the beneficiary or beneficiaries.

(C) Omitted.

6.27. Forwarding the papers to the Accountant-General, Punjab.— (1) On receipt of claim or claims along with necessary documents mentioned in Rule 6.18-A the pension sanctioning authority will sanction family pension as in form Pen.17 and send all these documents to the Accountant-General, Punjab, with a covering letter along with the Government employee's service book or service record duly completed up-to-date and any other documents relied upon for the verification of the service claimed in such a manner that they can be conveniently consulted. This shall be done not later than one month of the receipt of the claim by the Head of Office.

(2) The pension sanctioning authority shall draw the particular attention of the Accountant-General, Punjab regarding the details of Government dues outstanding against the deceased Government employees, namely:—

- (a) Government dues as intimated and assessed in terms of rule 6.30 and recoverable out of the gratuity before payment is authorised.
- (b) Amount of gratuity to be held over partly for adjustment of Government dues which have not been assessed so far and partly as margin for adjustment in the light of the final determination of the gratuity.

6.28. Sanction, drawal and disbursement of provisional family pension and gratuity.—(1) After the documents referred to in rule 6.27 have been sent to the Accountant General, Punjab, the Head of Office shall draw provisional family pension not exceeding the maximum family pension and hundred per cent of the gratuity as determined under clause (iv) of sub-rule (2) of rule 6.25 and clause (B) of rule 6.26. For this purpose, the Head of Office shall adopt the following procedure, namely :—

- (a) he shall issue a sanction letter in favour of the claimant or claimants endorsing copies thereof to the Accountant-General, Punjab, indicating the amount of hundred per cent of provisional family pension and gratuity as determined;
- (b) he shall indicate in the sanction letter the amount recoverable out of the gratuity in terms of sub-rule (2) of the rule 6.27.

- (c) after issue of the sanction letter, he shall draw:—
- (i) the amount of the provisional family pension, and
 - (ii) the amount of hundred per cent of the gratuity and deduct there from the dues mentioned in clause (b) in the same manner as pay and allowances of the establishment are drawn by him.
- (2) The head of Office shall disburse, —
- (a) the provisional family pension to the claimant on or after the first day of the month following the month in which the Government employee died.
 - (b) the amount of the death-cum-retirement gratuity to the claimant or claimants immediately after the same has been drawn under clause (B) of rule 6.26.
- (3) The payment of provisional family pension shall continue for a period of six months from the date following the date of death of the Government employee unless the period is extended by the Accountant General, Punjab under the proviso to sub-rule (1) of rule 6.29.
- (4) The Head of Office shall inform the Accountant-General, Punjab,—
- (a) as soon as the gratuity has been paid to the claimant or claimants; and
 - (b) as soon as the provisional family pension has been paid for a period of six months or for the period extended under the proviso to sub-rule (1) of rule 6.29, as the case may be;
- (5) If the claimant desires the payment of provisional family pension or the gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

6.29. Authorisation of final pension and balance of the gratuity in respect of the deceased Government employee.—(1) On receipt of the documents referred to in rule 6.27, the Accountant-General, Punjab, shall within a period of three months from the date of receipt of the documents apply the requisite checks, and assess the amount of family pension and gratuity, and issue pension order and gratuity payment order:

Provided that the Accountant-General, Punjab, if for any reason, unable to assess the amount of both the family pension and gratuity within the period aforesaid, he shall communicate the fact to the Head of Office to continue to disburse the provisional family pension to the claimant for such period as may be specified by the Accountant-General, Punjab.

(2) (a) The payment of family pension shall be effective from the date following the date on which the payment of provisional family pension ceased.

(b) Arrears of family pension, if any, in respect of the period for which family pension was drawn and disbursed by the Head of Office shall also be authorised by the Accountant General, Punjab.

(3) (A) The Accountant-General, Punjab, shall authorise the payment of balance of the gratuity after adjusting the amount, if any, outstanding against the deceased Government employee :

Provided that the release of the gratuity shall not be withheld on account of any delay in connection with or for want of sanction of the competent authority required under rule 10.16(v) of the Punjab Financial Rules, Volume I, in respect of writing off of the loans, any part thereof, or interest accrued thereon which remains unpaid at the time of death of the Government employee concerned. The release of the gratuity shall, however, be withheld to the extent of unpaid loan and interest thereon if the case falls in any of the following categories:

(a) if the deceased Government employee is not survived by,—

(i) his wife or husband, as the case may be; or

(ii) his sons, daughters, father, mother, minor brothers and sisters who are unemployed and were entirely dependent on the deceased Government employee as certified by the Deputy Commissioner Concerned.

(b) if the amount of House Building Advance has been misutilised.

(B) The amount of gratuity withheld under clauses (vi) of sub-rule (1) of rule 6.30 shall be adjusted by the Accountant General, Punjab, against the outstanding licence fee mentioned in clause (ix) of sub-rule (1) of the said rule and the balance, if any, refunded to the person or persons to whom the gratuity has been paid.

(4) The fact of the issue of the pension payment order and order for the payment of balance of gratuity shall be promptly reported to the Head of Office and the documents which are no longer required shall be returned to him.

(5) The Accountant-General, Punjab, may authorise the payment of balance of gratuity even during the period of the currency of provisional family pension:

Provided that the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the deceased Government employee.

(6) If the amount of provisional family pension as disbursed by the Head of Office is found to be in excess of the final family pension assessed by the Accountant-General, Punjab it shall be open to the Accountant-General, Punjab to adjust the amount of pension payable in future.

(7) (a) If the amount of gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Accountant-General, Punjab, the beneficiary shall not be required to refund the excess.

(b) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount actually admissible shall be minimised and the official or officials responsible for the excess payment shall be accountable for the over payment.

Adjustment of Government Dues

6.30. (1) Dues pertaining to the Government accommodation.—(i) If on the date of death, the Government employee was in occupation of Government accommodation which had been allotted to him, the Head of Office on receipt of intimation regarding the death of Government employee shall immediately write to the Accounts Officer or Assistant Accounts Officer (Rents) for the issue of 'No Demand Certificate' so that authorisation of family pension and death-cum-retirement gratuity is not delayed. While addressing the Accounts Officer or Assistant Accounts Officer (Rents) for the issue of 'No Demand Certificate' the Head of Office shall also supply the following information in duplicate (one copy marked to Rent Wing and second to Allotment Wing):—

- (a) name of the deceased Government employee with designation;
- (b) particulars of the Government accommodation (House or Quarter No., type and locality);
- (c) date of death of a Government employee;
- (d) whether the Government employee was on leave at the time of his death and, if so, the period and nature of leave;
- (e) whether the Government employee was enjoying rent free accommodation;
- (f) the period up to which licence fee has been recovered from the pay and allowances of the deceased Government employee and the monthly rate of recovery and details of pay bill under which last recovery was made;
- (g) if the licence fee has not been recovered upto the date of death and the family intends to retain Government accommodation for the permissible period of one year beyond the date of death of the Government employee, details of the:—
 - (aa) period for which licence fee still remains to be recovered.
 - (bb) the amount of licence fee in respect of the period mentioned in sub-clause (aa) above to be determined on the basis of the standard rent bill.

- (cc) the amount of licence fee for the retention of Government accommodation by the family of the deceased Government employee for the concessional period of one year beyond the date of death of the Government employee to be determined on the basis of the standard rent bill.
- (ii) The amount of licence fee mentioned in sub-clauses (bb) and (cc) proposed to be recovered out of death-cum-retirement gratuity.
- (iii) The Head of Office shall recover from the death-cum-retirement gratuity the amount of licence fee as intimated by the Accounts Officer or the Assistant Accounts Officer (Rents) under clause (i).
- (iv) The recovery of licence fee for the occupation of Government accommodation beyond the permissible period of one year shall be the responsibility of Accounts Officer or Assistant Accounts Officer (Rents).
- (v) The Accounts Officer or Assistant Accounts Officer (Rents) shall scrutinise their records with a view to determine if the licence fee other than the licence fee referred to in clause (i) was outstanding against the deceased Government employee. If any outstanding recovery is found, the amount and period or periods to which the recovery or recoveries relate shall be communicated to the Head of Office within a period of three months of the receipt of intimation regarding the death of the Government employee under clause (i) (c).
- (vi) Pending receipt of information under clause (v) the Head of Office shall withhold ten per cent of death-cum-retirement gratuity or thirty thousand rupees whichever is less.
- (vii) If no intimation is received by the Head of Office within the period specified under clause (v) regarding the recovery of the licence fee, it shall be presumed that nothing was recoverable from the deceased Government employee, and the withheld amount of gratuity shall be refunded to the person or persons to whom the amount of death gratuity was paid.
- (viii) If the Head of Office has received intimation from the Accounts Officer or Assistant Accounts Officer (Rents), under clause (v) regarding licence fee outstanding against the deceased Government employee, the Head of Office shall verify from the acquittance rolls if the outstanding amount of licence fee was recovered from the pay and allowances of the deceased Government employee. If as a result of verification it is revealed that the amount of licence fee shown as outstanding by the Accounts Officer or Assistant Accounts Officer (Rents) had already been recovered, the Head of Office shall draw the attention of the Accounts Officer or Assistant Accounts Officer (Rents) to the pay bills, under which the necessary recovery of the licence fee was made and take steps to refund the withheld amount of the gratuity to the person

or persons to whom the death-cum-retirement gratuity was paid.

(ix) If the outstanding amount of licence fee was not recovered from the pay and allowances of the deceased Government employee, the outstanding amount shall be adjusted against the amount of the gratuity withheld under clause (vi) and the balance, if any, refunded to the person or persons to whom the amount of death-cum-retirement gratuity was paid.

(2) **Dues other than those referred to in sub-rule (1).**—On receiving an intimation regarding the death of the Government employee, the Head of Office shall take steps to ascertain if any dues as referred to in rule 9.16, excluding the dues pertaining to occupation of Government accommodation were recoverable from the deceased Government employee. Such ascertainable dues shall be recovered from the amount of death-cum-retirement gratuity becoming payable to the family of the deceased Government employee.

CHAPTER VII

RE-EMPLOYMENT OF PENSIONERS

SECTION I.— General

7.1. No Government employee, civil or military, may retire with a view to being re-employed, and drawing pension in addition to pay, whether in Government service or in the service of any Local Fund.

7.2. When a person who was formerly in the civil or military employment of any Government in India obtains re-employment, whether, temporarily or permanently, in Government service or in the service of a Local Fund, it shall be incumbent on him to declare to the appointing authority the amount of any gratuity, bonus or pension granted to him in respect of the previous employment. The authority reappointing him shall specifically state in the order of reappointment whether any deduction is to be made from pension or pay as required by the rules of this Chapter and shall communicate a copy of the order to the Accountant General.

Note.—The principle of this rule applies in the case of continued employment on retirement from Government service. The amount of the pension to be declared is that sanctioned originally, i.e., it shall be inclusive of any amount that may have been commuted (vide rules 7.5 and 7.6).

7.3. The attention of every Government employee who is re-employed should be specially called to the provisions of this Chapter by the authority re-employing him, and whenever he becomes aware of such an appointment by the Accountant-General; but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the rules contained in this Chapter.

7.4. Notwithstanding anything contained in the rules in this Chapter, a wound or other extraordinary pension sanctioned under Chapter VIII of these rules and a wound or injury or disability pension or a disability addition to pension awarded under the Military rules shall continue to be drawn by a retired Government employee, civil or military, during re-employment or continued employment, and shall be subject only to the conditions of its award.

Note.—When the military pension is consolidated and service and disability elements are not explicitly differentiated, the total pension may be split up in the following manner. The service portion of the pension will be represented by the service pension earned, or, if no service pension has been earned, by the proportionate service pension calculated with reference to the minimum ordinary pension admissible for the rank and the actual length of service rendered. In calculating this service element an amount of fifty paise and over shall be taken as a whole rupee, amounts of less than fifty paise being ignored. The disability portion of the pension will be the balance.

7.5. In the case of a pensioner who is re-employed in Government service or in the service of a Local Fund and who commutes a portion of his pension after such re-employment, the amount of pension which the pensioner is entitled to draw under the rules in Section II of this Chapter shall be the amount to which he would have been entitled had there been no commutation, less the amount commuted.

In the case of a pensioner whose pension is held wholly in abeyance during such re-employment and who commuted a portion of his pension during this period, his pay, during re-employment shall be reduced by the amount of pension commuted, with effect from the date on which the commutation becomes absolute. In the case of a pensioner whose pension is held partly in abeyance during such re-employment and who during this period commutes a portion of his pension in excess of the portion actually drawn, his pay during re-employment shall be reduced, with effect from the date on which the commutation becomes absolute, by an amount representing the difference between the portion of pension commuted and the portion of pension drawn until the commutation.

7.6. In the case of a pensioner a portion of whose pension has been commuted before re-employment, the original amount of the pension should be taken into consideration in fixing the total receipt during re-employment or continued employment and not merely the un-commuted pension.

SECTION-II

Re-Employment of Civil Pensioners

A.-GENERAL

7.7. The rules in this Section do not apply to pensioners re-employed under the Court of Wards.

7.8. Omitted.

7.9. Omitted.

B.-AFTER COMPENSATION OR INVALID GRATUITY

7.10. A Government employee who has retired from Government service with a compensation gratuity or who has retired with an invalid gratuity but is sufficiently restored to health, if re-employed, in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

7.11. The intention to refund gratuity must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of his pay, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was

given. The right to count previous service shall not revive till the whole gratuity is refunded. He need not refund a gratuity given under rule 5.9 in lieu of notice of discharge unless the period of unemployment falls short of three months. In the latter case he may retain a portion of the gratuity equal to the proportion which the period of unemployment bears to three months. If the Government employee is re-employed only temporarily he need refund no part of his gratuity; but if such temporary employment is foreseen the gratuity should be proportionately reduced.

Note:—The equity of this rule is based upon the consideration that so long as the refund of the gratuity is postponed, the Government employee avoids risk and the Government loses the possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the Government employee. A subsequent refund of a gratuity, even with compound interest does not compensate the Government for the loss of this possibility meanwhile.

7.12. Omitted.

C.—AFTER COMPENSATION PENSION

7.13. A Government employee who has obtained a compensation pension, if re employed, may retain his pension in addition to his pay: provided that if he is re-employed in a post paid from the Government revenue, the pension shall remain wholly or partly in abeyance, if the sum of the pension and the initial pay on re-employment exceeds his substantive pay immediately before retirement, that is, a Government employee can draw so much of pension only as will make his initial pay plus pension equal to his substantive pay at the time of his retirement. Once the amount of the pension has been fixed in conformity with the above conditions the Government employee shall be entitled to receive the benefit of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension; nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary post, for bona fide temporary duty lasting for not more than a year, the Government or, in cases where the pension does not exceed Rs. 3,500 a month, the authority which controls the establishment on which the pensioner is to be employed may allow the pension to be drawn in whole or in part even though the sum total pay and pension exceeds his substantive pay at the time of his retirement.

Note 1.—In the case of a section-writer whose service has been allowed to qualify for pension under special orders of the competent authority or of a Press servant (see rule 3.28) re-employed, the substantive pay at the time of discharge is taken at the average earnings of the last six months of employment.

Note 2.—This rule applies to the re-employment on all establishments paid from the Government revenues, whether paid by fixed pay or by fluctuating monthly allowances, but it does not apply to pensioners employed on work as coolies on daily wages.

Note 3.—In the case of re-employment under a Local Fund, no deduction is made from a compensation pension.

Note 4.—The competent authority may permit a Government employee who has obtained a compensation pension and is afterwards re-employed in a permanent or temporary post duly sanctioned by competent authority, to draw his full pension in addition to the pay and allowances of the post irrespective of the period of such re-employment.

Note 5.—The restrictions in this rule do not apply to ex-policemen whose pension does not exceed Rs. 3,500 a month.

Note 6.—A re-employed Government employee is a new entrant. As regards the fixation of initial pay on re-employment, there are two limiting conditions: —

- (a) The pay of the post in which a Government employee is re-employed, and
- (b) The substantive pay of the Government employee at the time of retirement.

Substantive pay has to be interpreted in terms of rule 2.55 of the Punjab Civil Services Rules, Volume I, Part I.

While there is no obligation to give a Government employee re-employed, pay (including pension) equal to substantive pay drawn by him before retirement the rules permit a Government employee being allowed so much of pension as will, with initial pay, equal to substantive pay, the fixation of pay being a matter fully within the discretion of the competent authority.

7.14. If the re-employment is in qualifying service, the Government employee may either retain his pension (subject to the proviso stated in rule 7.13) in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

Note.—A Government employee counts his previous service under this rule if on re-employment his pension remains wholly in abeyance under the proviso to rule 7.13.

7.15. If a Government employee does not within three months from the date of his re-employment, exercise the option conceded by rule 7.14, of ceasing to draw pension and counting his former service, he cannot, thereafter, do so without the permission of the competent authority.

D.—AFTER INVALID PENSION

7.16. There is no bar to the re-employment of a Government employee who has regained health after obtaining Invalid Pension, or if a Government employee is invalidated as being incapacitated for employment in a particular branch of the service, to his-re-employment, in some other branch of the service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after compensation pension.

Note. Omitted.

E.—AFTER SUPERANNUATION OR RETIRING PENSION

7.17. A Government employee who is in receipt of a superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from the Government revenues or from a Local Fund, except on public grounds and in a purely temporary capacity with the sanction of the competent authority.

Note.—A competent authority may declare that the restrictions contained in this rule shall not apply to any particular local fund or to Local Funds of any particular class or that they shall apply subject to such modifications as it may direct.

7.18. (1) The initial pay of a civil pensioner, on re-employment, shall be fixed at the same stage as the last pay drawn by him before retirement and the pension (before commutation) shall be reduced from the pay so fixed. He shall continue to draw separately any pension sanctioned to him and shall retain any other form of retirement benefits.

(2) Once the initial pay of re-employed civilian pensioner has been fixed in accordance with the provisions of sub-rule (1), he shall be entitled to draw normal increments on this pay (before reduction of pension) in the re-employed post:

Provided that his pay and the pension (before commutation), taken together, shall not, in any case, exceed seventy-seven thousand rupees.

SECTION III.—Re-Employment of Military Pensioners

7.19. The rules in Section II of this Chapter do not apply to a Military Officer, Departmental Officer, Warrant Officer or Non-Commissioned Officer or Soldier, who is taken into or allowed to continue in Civil employment after he has been granted a pension under Military Rules. His pension for service in the Civil Department will not be affected by his military pension.

7.20. (1) The initial pay of an ex-serviceman pensioner, who at the time of retirement, was holding a post, other than a post in the rank of a Commissioned

Officer, shall be fixed at the minimum of the time scale of the post to which he is re-employed. In addition, he shall continue to draw separately any pension sanctioned to him for military service and he shall also retain any other form of retirement benefits received for military service.

(2) Once the initial pay of re-employed ex-serviceman pensioner has been fixed in accordance with the provisions of sub-rule (1), he shall be entitled to draw normal increments in the time scale of the re-employed post:

Provided that his pay and the pension (before commutation), taken together, shall not, in any case, exceed seventy-seven thousand rupees.

7.21. (1) If an ex-serviceman pensioner, at the time of retirement, was holding a post, in the rank of a Commissioned Officer, his initial pay, on re-employment in the civil post, shall be fixed at the same stage as the last pay drawn before retirement. However, he shall be allowed the Grade Pay of the re-employed post. In such cases, the non-ignorable part of the pension shall be reduced from the pay so fixed.

(2) Once the initial pay of re-employed ex-serviceman pensioner has been fixed in accordance with the provisions of sub-rule (1), he shall be entitled to draw normal increments on such pay (before reduction of non-ignorable part of pension) in the re-employed post: provided that his pay and pension (before commutation), taken together, shall not, in any case, exceed seventy-seven thousand rupees.

Illustration.—If a Colonel, whose last pay drawn before retirement was Rs. 61,700 (Pay in the pay band, Rs. 53,000 plus Grade Pay of Rs. 8,700), is re-employed as Deputy Secretary with a Grade Pay of Rs. 7,600, his pay on re-employment, shall continue to be Rs. 61,700. However, his Grade Pay on re-employment shall be Rs. 7,600 and the Pay in the pay band shall be Rs. 54,100 (61,700 minus 7,600). Thereafter, the non-ignorable part of the pension shall be reduced from the pay so fixed.

Note.—Military Service Pay shall not be admissible to an ex-serviceman pensioner who is re-employed in a civil post.

SECTION IV.—Pension For New Service

7.22. Except as provided in Section III, a Government employee who, having been discharged with a pension, is subsequently re-employed, may not count his new service for a separate pension. Pension (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

7.23. If a Government employee who has obtained a compensation or invalid pension is re-employed in pensionable service and retains the pension (see rules 7.13, 7.14 and 7.16), the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of

the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the Government employee's final retirement, if the two periods of service were combined and the value of the pension already granted for the previous service.

Note.—The capital value of the pension granted for the previous service should be calculated on the basis of the age of the Government employee on the date of the final retirement from service.

7.24. (a) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on the condition that the amount of such gratuity or the present value of such pension plus the amount of the previous gratuity shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.

(b) If the amount of such gratuity or the present value of such pension, plus the amount of the previous gratuity, exceed the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

7.25. For the purpose of rules 7.23 and 7.24, the capital or present value of a pension shall be calculated in accordance with the Tables under the rules in Chapter XI.

SECTION V.—Commercial Employment After Retirement

7.26. (1) If a pensioner who immediately before his retirement was a member of the State Services Group 'A', wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance by submitting an application in Form Pen. 19 :

Provided that a Government employee who was permitted by the Government, and in the case of Vidhan Sabha Secretariat employee excluding the Secretary Vidhan Sabha, by the Speaker, to take up a particular form of commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(2) Subject to the provisions of sub-rule (3) the Government may, by order in writing, on an application made under sub-rule (1) by a pensioner, grant, subject to such conditions, if any, as it may deem necessary, permission, or refuse for reasons to be recorded in the order, permission, to such pensioner to take up the commercial employment specified in the application.

(3) In granting or refusing permission under sub-rule (2), to a pensioner for taking up any commercial employment, the Government shall have regard to the following factors, namely: –

- (a) the nature of the employment proposed to be taken up and the antecedents of the employer;
- (b) whether his duties in the employment which he proposes to take up might be such as to bring into conflict with Government;
- (c) whether the pensioner while in service had any such dealing with the employer under whom he proposes to seek employment as might afford a reasonable basis for the suspicion that such pensioner has shown favours to such employer;
- (d) whether the duties of the commercial employment proposed involve liaison or contact work with Government department;
- (e) whether his commercial duties will be such that his previous official position or knowledge of experience under Government could be used to give the proposed employer an unfair advantage;
- (f) the emoluments offered by the proposed employer; and
- (g) any other relevant factor.

(4) Whether the Government grants the permission applied for subject to any conditions or refuses such permission, the applicant may, within thirty days of the receipt of the order of the Government to that effect, make a representation against any such condition or refusal as the case may be, and the Government may make such orders thereon as it deems fit:

Provided that no order other than an order cancelling such condition or granting such permission without any conditions shall be made under this sub-rule without giving the pensioner making the representation a reasonable opportunity to show cause against the order proposed to be made.

(5) If any pensioner takes up any commercial employment at any time before the expiry of two years from the date of his retirement without the prior permission of the Government or commits a breach of any condition subject to which permission to take up any commercial employment has been granted to him under this rule, it shall be competent for the Government to declare by order in writing and for reasons to be recorded therein that he shall not be entitled to the whole or such part of the pension and for such period as may be specified in the order:

Provided that no such order shall be made without giving the pensioner concerned a reasonable opportunity of showing cause against such declaration:

Provided further that in making any order under this sub-rule, the Government shall have regard to the following factors, namely:—

- (i) the financial circumstances of the pensioner concerned;
- (ii) the nature of and the emoluments from, the commercial employment taken up by the Pensioner concerned; and
- (iii) any other relevant factor.

(6) Every order passed by the Government under this rule shall be communicated to the pensioner concerned;

(7) In this rule. —

(a) the expression commercial employment means: —

(i) an employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body corporate, wholly or substantially owned or controlled by the State Government;

(ii) setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner—

(1) has no professional qualifications and the matters in respect of which the practice is to be set up, is carried on are relatable to his official knowledge or experience; or

(2) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reasons of his previous official position; or

(3) has to undertake work involving liaison or contact with the offices or officers of the Government. For the purpose of this clause the expression 'employment under a co-operative society' includes the holding of any office, whether elective or otherwise, such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society;

(b) the expression 'date of retirement' in relation to a Government employee re-employed after retirement, without any break, either in the same or

in another Group 'A' post or in any other equivalent post under a State Government, means the date on which such Government employee finally ceases to be so re-employed in Government service.

Section VI.—Employment Under Government Outside India After Retirement

7.27. (a) If a pensioner to whom this rule applies wishes to accept any employment under a Government outside India he should obtain the previous sanction of competent authority to such acceptance. No pension shall be payable to a pensioner who accepts such an employment without proper permission, in respect of any period for which he is so employed or such longer period as the competent authority may direct:

Provided that a Government employee permitted by the competent authority to take up a particular form of employment under a Government outside India during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(b) This rule shall apply to every pensioner, who immediately before retirement was a member of the State Service, Group 'A'.

(c) For the purpose of this rule "employment under a Government outside India" shall include employment under a local authority or Corporation or any other Institution or Organisation which functions under the supervision or control of a Government outside India.

CHAPTER-VIII
WOUND AND OTHER EXTRAORDINARY PENSIONS

SECTION-1

Extent of Application

8.1. Pay for the purposes of this Chapter means pay as defined in rule 2.44 of the Punjab C.S.R., Vol. I (Part I), which a person was drawing on the date of his death or injury: provided that in the case of persons remunerated by piece-work rates, pay means average earnings of the last six months of service ending with the date of his death or injury.

Note 1.—Article 320 of the Constitution of India provides that the Public Service Commission should be consulted on claims for the award of injury pensions and as to the amount of such awards. It is, therefore, necessary to consult the Commission on every claim by or in respect of a person, who is or was under the rule making control of the Punjab Government for the award of a pension or gratuity under the rules in this Chapter. The following supplementary instructions should be observed when the Punjab Public Service Commission is consulted in respect to claims for the award of injury pension:—

- (i) the Commission should be consulted after the departments concerned have expressed their views on a case;
- (ii) the point of reference to the Commission should *inter alia* be, whether in their opinion the award of any pension, gratuity, etc., is admissible, and, if so, the amount thereof;
- (iii) any such reference to the Commission should be in the form of an official letter with which the relevant papers should be forwarded and except as stated in Note 2 below, the convention regarding the acceptance of the advice of the Commission should apply in these cases.

Note 2.—All cases of ex-gratia awards of extraordinary pension shall be referred to the Punjab Public Service Commission. If the Commission considers that a claim is covered by rules and recommends an award it will be open to the competent authority to examine the position before accepting the recommendation. If the competent authority is satisfied that the case is covered by the rules, it will accept the Commission's recommendations as to the amount of the award. In cases when the Commission are satisfied that the award is admissible under the rules, but would recommend as ex-gratia payment, they will not make any recommendation about the amount of payment. The competent authority will in that case retain discretion after giving all due weight to the Commission's recommendations whether or not to make any ex-gratia payment and to determine the amount of such payment.

SECTION 2—General

8.2. to 8.24. Omitted.

SECTION V

8.25. The rules in this section shall apply to all persons paid from Civil estimates, other than those to whom the Workmen's Compensation Act, 1923 (VIII of 1923), applies whether their appointment is permanent or temporary, on time scale of pay or fixed pay of piece-work rates.

Note.—No award shall be made under these rules in respect of Civilian Officer who is deputed on foreign service under United Nations bodies on or after 1st January, 1958, and who is allowed to join the United Nations Joint Staff Pension Fund as an “Associate Member”.

8.26. For the purposes of the rules in this Section unless there is anything repugnant in the subject or context—

- (1) “accident” means—
 - (i) a sudden and unavoidable mishap; or
 - (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in course of service.
- (2) “date of injury” means—
 - (i) in the case of accident or violence, the actual date on which the injury is suffered or such date, not being later than the date of the report of the Medical Board, as the competent authority may fix ; and
 - (ii) in the case of disease, the date on which the Medical Board reports or such earlier date as may be fixed by the competent authority with due regard to the opinion of the Medical Board;
- (3) “disease” means—
 - (i) venereal disease or septicemia where such disease or septicemia is contracted by a medical officer as a result of attendance in the course of his official duty on an infected patient or of conducting a post-mortem examination in the course of that duty; or
 - (ii) disease solely and directly attributable to an accident; or
 - (iii) an epidemic disease contracted by an officer in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in any area where he happens to be in the performance of his duties;

- (4) "injury" means bodily injury resulting from violence, accident or disease assessed by a Medical Board as being not less than severe ;

Note.—A list of injuries deemed to result in permanent total disablement and permanent partial disablement is given in Annexure to this Chapter. This list is based on the injuries mentioned in Schedule I of the Workmen's Compensation Act, 1923 (Act No. 8 of 1923).

(5) to (7) Omitted.

- (8) "violence" means the act of a person who inflicts an injury on a Government employee –

- (i) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties; or
- (ii) because of anything done or attempted to be done by such Government employee or by any other public servant in the lawful discharge of his duty as such; or
- (iii) because of his official position.

8.27. (i) Notwithstanding anything contained in these rules the degree of default or contributory negligence on the part of a Government employee may be taken into consideration in making an award under these rules in favour of such Government employee, but, shall not be taken into account where such award is made in favour of the family of such Government employee.

(ii) No award shall be made under these rules except with the sanction of the competent authority.

8.28. Except as otherwise provided, an award made under these rules in this Section, shall not affect any other pension or gratuity for which the Government employee concerned or his family may be eligible under any other rules for the time being in force; and the pension granted under the provisions of these rules shall not be taken into account in fixing the pay of pensioner on his continued employment or re-employment in Government service.

8.29. No award shall be made in respect of –

- (i) an injury sustained more than five years before the date of application; or
- (ii) death which occurred more than seven years (a) after the injury due to violence or accident was sustained, or (b) after the Government employee was medically reported as unfit for duty on account of the disease of which he died.

8.30. All awards under these rules shall be made in India in rupees.

8.31. (1) The basic criteria for making an award under the rules in this Chapter is whether the death or disability of a person is attributable to service or aggravated by service.

(2) For assessing the extent of disability, the injuries mentioned in Annexure to this Chapter shall be taken into account. The Medical Board shall have due regard to the percentage of loss of earning capacity in relation to different types of injuries specified in the said Annexure.

8.32. (1) If death of an employee occurs on or after the first day of January, 2006, in performance of duty such as dealing with riots, terrorist's attack or enemy's action, the family of such a Government employee shall be entitled to an *ex-gratia* grant of ten lakh rupees on a uniform basis.

(2) In case of accidental or homicidal death of a Government employee occurring on or after the 1st day of December, 2011, during the performance of duty, the family of such employee shall be entitled to the *ex-gratia* grant of five lakh rupees on a uniform basis.

(3) The amount of *ex-gratia grant* specified in sub-rule (2), shall also be payable to a Government employee who incurs complete permanent disability during the performance of duty:

Provided that in the case of those employees who incur partial permanent disability during the performance of duty, *ex-gratia* grant payable under this rule, shall be in proportion to the percentage of partial permanent disability incurred by him.

8.33. (1) The rates of special family pension admissible to the family of a Government employee who, while performing his duties dies as a result of attack by or during action against extremists, dacoits, smugglers or anti-social elements, shall be as under:—

(a) From the date following the date of death of the employee till the date he would have attained the age of superannuation had he survived.	Equal to the last pay drawn by the deceased Government employee on the date of his death.
(b) For the period beyond the notional date of superannuation mentioned at (a) above.	(i) sixty per cent of the pay where the pay of the deceased Government employee on the date of death does not exceed ten thousand rupees. (ii) fifty per cent of the pay subject to a minimum of six thousand rupees, if the pay of the deceased employee on the date of death exceeds ten thousand rupees.

(2) A Government employee who, as a result of action against extremists, dacoits, smugglers or anti-social elements, suffers hundred per cent disability and becomes dependent on somebody else for his day to day activities, shall be entitled to a Constant Attendant Allowance at the rate of three thousand rupees per month in addition to the other benefits admissible to him under the rules in this chapter.

8.34. (1) If the death of a Government employee occurs due to causes attributable to service, the dependent members of the family of the Government employee shall, in addition to *ex-gratia grant* admissible under sub-rule (2) of rule 8.32, be entitled to a consolidated family pension at the following rates:—

- (a) sixty *per cent* of the pay, where the pay of the deceased Government employee on the date of death does not exceed ten thousand rupees.
- (b) fifty *per cent* of the pay subject to a minimum of six thousand rupees, if the pay of the deceased employee on the date of death exceeds ten thousand rupees.

(2) If the disability suffered by a Government employee is due to causes attributable to service and the employee is retained in Government service, he shall be paid an *ex-gratia grant* under sub-rule (3) of rule 8.32. In addition, he shall be entitled to draw pensionary benefits under the ordinary pension rules applicable on the date of his retirement.

(3) The procedure for payment of family pension under these rules to the members of the families of the deceased shall be the same as is applicable in the case of family pension admissible under rule 6.17 of this Volume. Where the deceased has left neither widow nor child, total pension at one-half rate of the pension admissible to the family of the deceased shall be paid to the dependent parents, sisters and brothers jointly or individually on production of a certificate of dependence issued by the Deputy Commissioner concerned.

Note 1.—In sanctioning pensions to parents of deceased Government employees, the sanctioning authorities should attach the following conditions:—

- (i) that the award is subject to review should the pecuniary circumstances of the pensioner change; and
- (ii) that any such change of circumstances is to be promptly reported by the pensioner to the sanctioning authority.

Note 2.—If any of the widows, children, father, mother or minor brothers or sisters is denied any share in the property of the Government employee, under a will or deed made by him, such a person shall be ineligible to receive any award under these rules and the benefit will pass on to the next eligible person.

8.35. (1) A family pension will take effect from the day following the date of death of the Government employee or from such other date as the competent authority may decide.

(2) For the purpose of a family pension under these rules, the definition of family shall be the same as prescribed in rule 6.17(3).

8.36. (1) In respect of matters of procedure, all awards under the rules in this section are subject to the procedure rules relating to ordinary pensions for the time being in force to the extent that such procedure rules are applicable and are not inconsistent with these rules.

(2) When a claim for any injury pension or gratuity or family pension arises, the head of the office or of the department, in which the injured or the deceased Government employee was employed, will forward the claim through the usual channel to the Government with the following documents: –

- (i) A full statement of circumstances in which the injury was received, the disease was contracted or the death occurred.
- (ii) The application for injury pension or gratuity in Form Pen. 6 or, as the case may be, the application for family pension in Form Pen. 7.
- (iii) In the case of an injured Government employee or one who has contracted a disease a medical report in Form Pen. 8, In case of a deceased Government employee a medical report as to the death or reliable evidence as to the actual occurrence of death if the Government employee lost his life in such circumstances that a medical report cannot be secured.
- (iv) A report of the Accountant-General as to whether an award is admissible under the rules, and if so, of what amount.
- (v) Where the Government are satisfied on the evidence placed before them by a Government employee in respect of whom a medical report for the purpose of grant of injury or other extraordinary pension has been received by them of the possibility of an error of judgment in the decision of the Medical Board which examined him, the Government may direct a second Medical Board consisting of members other than those who constituted the first Medical Board to examine the officer and submit a report to the Government in the matter; pension shall be granted to the officer in accordance with the decision of the second Medical Board.

8.37. (1) Where a pensioner is killed by extremists, dacoits, smugglers or anti-social elements as a retaliation for some action taken by him against them, in the performance of his duty while in service, the family of such pensioner, shall be granted special *ex-gratia* grant and special family pension at the same rate as are applicable to the Government employees. The pay drawn by him at the time of retirement shall be reckoned for this purpose. The Deputy Commissioner of the District where death has occurred shall certify that he has been killed in the manner indicated above.

(2) If a State Government pensioner is permanently incapacitated with the disability of sixty percent and above, by the extremists, dacoits, smugglers or anti-social elements, as a result of retaliation, he shall also be treated at par with Government employee for the purposes of special pension. The Pension Sanctioning Authority should obtain a Certificate from the Deputy Commissioner of the District in which the pensioner has been disabled by an act of retaliation in the manner indicated in sub-rule (1).

(3) If a close relation of a Government employee or a pensioner, i.e. wife/husband, son, daughter, brother, sister, father or mother is killed or disabled by extremists, dacoits, smugglers or anti-social elements as a retaliation for any action taken by Government employee or pensioner in the performance of duties while in service, the family of the deceased and in case disability is hundred percent, if he is not a State Government employee, shall be granted family pension at one and a half times the rates applicable to private individuals mentioned in rule 8.38. The Deputy Commissioner of the District, where death has occurred, shall certify that he has been killed in the manner indicated in sub-rule (1).

Grant of Pension to Dependents of Private Individuals

8.38. The following conditions shall regulate the grant of pensions to the dependents of private individuals who are killed while assisting State authorities in their tasks of maintaining law and order :-

(1) Pensions will be granted only in exceptional circumstances to the dependents of private individuals who are killed while engaged in operation of exceptional risk such as the dispersal of unlawful assemblies, suppression of riots, the arrest of dangerous criminals or fighting dacoits or raiders across the border.

(2) No pension will be sanctioned except after the necessary medical report and the report of the Accountant-General has been obtained:

Provided that if the individual lost his life in circumstances which render it impossible to procure a medical report, reliable evidence of the actual occurrence of death may be accepted in lieu thereof.

(3) When any claim for pension under this rule arises, the Inspector-General of Police or the Head of Department in which the claim arises will hold a formal enquiry, taking evidence as to –

- (i) the circumstances in which the life was lost; and
- (ii) the relationship and the pecuniary circumstances of the claimants.

The Inspector General of Police or the Head of Department, as the case may be, shall then submit the case, with a statement of the circumstances, through the usual channel to the Department of Finance. The application should be in the Form Pen. 2A.

(4) The rate of family pension to the dependents of private individual, in the case of death and the rate of disability pension for disability of sixty percent and above shall be three thousand and five hundred rupees per month. If the disability caused to a private individual is less than sixty percent, he shall be paid one-time compensation in accordance with the provisions of sub-rule (3) of rule 8.32. The provisions of Annexure to this Chapter shall form the basis for determining the percentage of disability caused to a private individual.

(5) Before granting pension or compensation under this rule, the sanctioning authority shall ensure that the person concerned is not in receipt of any benefit under any other scheme of the Department of Social Welfare of the State Government and a certificate to the effect that beneficiary concerned has not been granted any such benefit by the Department of Social Welfare of the State Government, shall be obtained from that department.

(6) Where the deceased has left neither widow nor child, total pension at one-half rate of pension admissible under this rule to the family of the deceased shall be paid to the dependent parents, sisters and brothers jointly or individually on production of a certificate of dependence issued by Deputy Commissioner concerned.

- (7) (1) A family pension granted under this rule shall take effect from the date following the date of death of the person concerned or from such date as the competent authority may decide.
- (2) The procedure for payment of family pension under these rules to the members of the families of the deceased shall be the same as is in vogue in the case of normal family pension admissible under rule 6.17.

Note 1.—The cases of those private individuals, who engage themselves in any of the operations referred in sub-rule (1), of their own free will, shall also be treated as covered under this rule.

Note 2.—A family pension granted to a posthumous child shall commence from the date of his/her birth and not from the date of death of his/her father.

ANNEXURE

[Referred to in Note below rule 8.26(4) and rule 8.31]

**LIST OF INJURIES DEEMED TO RESULT IN
PERMANENT TOTAL DISABLEMENT**

Serial No.	Description of injury	Percentage of loss of earning capacity
1	2	3
1	Loss of both hands or amputation at higher sites	100
2	Loss of a hand and a foot	100
3	Double amputation through leg or thigh or amputation through leg or thigh on one side and loss of other foot	100
4	Loss of sight to such an extent as to render claimant unable to perform any work for which eyesight is essential	100
5	Very severe facial disfigurement	100
6	Absolute deafness	100
	LIST OF INJURIES TO RESULT IN PERMANENT PARTIAL DISABILITIES Amputation cases—Upper limbs (either arm)	
1	Amputation through shoulder joint	90
2	Amputation below shoulder with stump less than 8” from tip of acromion	80
3	Amputation from 8” from tip of acromion to less than 4½” below tip of olecranon	70
4	Loss of a hand or of the thumb and four fingers of one hand or amputation from 4½” below tip of olecranon	60
5	Loss of thumb	30
6	Loss of thumb and its metacarpal bone	40
7	Loss of four fingers of one hand	50
8	Loss of three fingers of one hand	30
9	Loss of two fingers of one hand	20
10	Loss of terminal phalanx of thumb	20

1	2	3
Amputation cases-Lower Limbs		
11	Amputation of both feet resulting in end-bearing stumps.	90
12	Amputation through both feet proximal to the metatarso phalangeal joint	80
13	Loss of all toes of both feet through the metatarso phalangeal joint	40
14	Loss of all toes of both feet proximal to the proximal inter phalangeal joint	30
15	Loss of all toes of both feet distal to the proximal interphalangeal joint	20
16	Amputation at hip	90
17	Amputation below hip with stump not exceeding 5" in length measured from tip of trenchanter	80
18	Amputation below him with stump exceeding 5" in length measured from tip of great trenchanter but not beyond middle thigh.	70
19	Amputation below middle thigh to 3½" below knee	60
20	Amputation below knee with stump exceeding 3½" but not exceeding 5"	50
21	Amputation below knee with stump exceeding 5"	40
22	Amputation of one foot resulting in end-bearing	30
23	Amputation through one foot proximal to the metatarso phalangeal joint	30
24	Loss of all toes of one foot through the metatarso phalangeal joint.	20
Other injuries		
25	Loss of one eye, without complications, the other being normal	40
26	Loss of vision of one eye, without complications or disfigurement of eye-ball, the other being normal	30
Loss of- A-Fingers of right or Left hand Index finger		
27	Whole	14
28	Two phalanges	11

1	2	3
29	One phalanx	9
30	Guillotine amputation of tip without loss of bone	5
Middle finger		
31	Whole	12
32	Two phalanges	9
33	One phalanx	7
34	Guillotine amputation of tip without loss of bone	4
Ring or little finger		
35	Whole	7
36	Two phalanges	6
37	One phalanx	5
38	Guillotine amputation of tip without loss of bone	2
B-Toes of right or left foot Great toe		
39	Through metatarso-phalangeal joint	14
40	Part, with some loss of bone	3
Any other toe		
41	Through metatarso-phalangeal joint	3
42	Part, with some loss of bone	1
Two toes of one foot, excluding great toe		
43	Through metatarso-phalangeal joint	4
44	Part, with some loss of bone	2
Three toes of one foot, excluding great toe		
45	Through metatarso-phalangeal joint	6
46	Part, with some loss of bone	3
Four toes of one foot, excluding great toe		
47	Through metatarso-phalangeal joint	9
48	Part, with some loss of bone	31

Note.—Complete and permanent loss of the use of any limb or member referred to in this Annexure shall be deemed to be the equivalent of the loss of that limb or member.

CHAPTER IX

DETERMINATION AND AUTHORISATION OF THE AMOUNTS OF PENSION AND GRATUITY

9.1. Preparation of list of Government employees due for retirement: –

(1) Every Head of Department shall get a list prepared every quarter, that is, on the first of January, first of April, first of July and first of October each year, of all Government employees, who are due to retire within the next twenty-four to thirty months in the following proforma, namely–

Sr. No.	Name of the Government employee	Designation	Date of Birth	Date of Retirement	General Provident Fund Account Number	Number and date of sanction and the amount of loan, if any, taken by the Government employee, whether recovery of instalments and/or interest thereon is over or is still being made from the Government employee, on the date of statement	Action taken to reconcile the balance of loans taken by the Government employee	Remarks, if any
1	2	3	4	5	6	7	8	9

(2) A copy of every such list shall be supplied to the Drawing and Disbursing Officer concerned, the Accountant-General (Audit), Punjab, the Accountant-General (Accounts and Entitlement), Punjab and the Director of Pensions and Welfare of Pensioners immediately after its preparation, but not later than the thirty-first January, thirtieth April, thirty-first July and thirty-first October, as the case may be, of that year.

(3) In the case of a Government employee retiring for reasons other than by way of superannuation, the Head of Office shall promptly inform the Drawing and Disbursing Officer concerned, as soon as the fact of such retirement becomes known to him.

(4) A copy of the intimation sent by the Head of Office to the Drawing and Disbursing Officer under sub-rule (3) shall also be endorsed to the Accounts Officer (Rents) and the concerned office of the Department of Public Works, Punjab, if the concerned Government employee is an allottee of Government accommodation.

Explanation:–An allottee shall mean a Government employee, who has been allotted Government accommodation at any time during his service.

9.2. Intimation to the Accounts Officer Rents and the concerned office of the Department of Public Works, Punjab regarding issue of 'No Demand Certificate'.—(1) The Head of Office shall write to the Accounts Officer Rents and the concerned office of the Department of Public Works at least two years before the anticipated date of retirement of the Government employee who is an allottee for the issue of a 'No Demand Certificate' in respect of the period preceding eight months of the retirement of the allottee.

(2) On receipt of the intimation under sub-rule (1), the Accounts Officer Rents and the concerned office of the Department of Public Works shall take further action as provided in rule 9.17.

9.3. Preparation of pension papers:—Every Head of Office shall undertake the work of preparation of pension papers in Form PEN.1 two years before the date on which a Government employee is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier.

9.4. Stages for the completion of pension papers:—(1) The Head of Office shall divide the period of preparatory work of two years referred to in rule 9.3 in the following three stages:—

(a) **First Stage—Verification of service:**—

- (i) The Head of Office shall go through the service book of the Government employee and satisfy himself as to whether the certificates of verification for the entire service are recorded therein.
- (ii) In respect of the unverified portion or portions of service, he shall arrange to verify the portion or portions of such service, as the case may be, with reference to pay bills, acquittance rolls or other relevant records and shall record necessary certificates in the service book.
- (iii) If the service for any period is not capable of being verified in the manner specified in sub-clauses (i) and (ii), that period of service having been rendered by the Government employee in another office or Department, a reference shall be made to the Head of Office in which the Government employee is shown to have served during that period for the purpose of verification.
- (iv) If any portion of service rendered by a Government employee is not capable of being verified in the manner specified in sub-clauses (i) to (iii), the Government employee shall be asked to file an affidavit on a plain paper to the effect that he had actually rendered service during that period. He shall also be asked to produce all relevant documents and

furnish all information which is in his power to produce or furnish in support of such declaration.

- (v) The Head of Office shall after taking into consideration the facts mentioned in the affidavit and the documents produced and the information furnished in support thereof, admit the portion of service referred to in sub-clause (iv) having been rendered for the purpose of calculating the pension of the Government employee.

(b) Second stage—Making good omissions in the service book:—

- (i) The Head of Office while scrutinising the certificates of verification of service, shall also identify if there are any other omissions, imperfections or deficiencies which have a direct bearing on the determination of emoluments and the service qualifying for pension.
- (ii) Every effort shall be made to complete the verification of service in the manner specified in clause (a) and to make good omissions, imperfections or deficiencies referred to in sub-clause (i). Any omission, imperfection or deficiency including the portion of service shown as unverified in the service book which it has not been possible to verify in the manner specified in clause (a) shall be ignored and service qualifying for pension shall be determined on the basis of the entries in the service book.
- (iii) **Calculation of Average emoluments.**—For the purpose of calculation of average emoluments, the Head of Office shall verify from the service book, the correctness of the emoluments drawn during the last ten months of service. In order to ensure that the emoluments during the last ten months of service have been correctly shown in the service book, the Head of Office may verify the correctness of emoluments for the period of twenty-four months preceding the date of retirement of a Government employee, and not for any period prior to that date.

(c) Third Stage—Obtaining of Form Pen. 15 by the Head of Office:—The Head of Office shall obtain the necessary particulars in Form Pen. 15 from the Government employee eight months before the date of his retirement.

(2) Action under clauses (a), (b) and (c) of sub-rule (1) shall be completed eight months prior to the date of retirement of the Government employee.

9.5. Completion of pension papers.—The Head of Office shall complete Part I of Form Pen.1 not later than six months before the date of retirement of the Government employee.

such a case is of opinion that the Government employee is likely to retire before his pension or gratuity or both, can be finally assessed and settled in accordance with the provisions of these rules, he shall without delay, take steps to determine the qualifying years of service and the emoluments qualifying for pension after making the summary investigation carefully for this purpose, he shall,—

- (i) rely upon such information as may be available in the official records; and
- (ii) ask the retiring Government employee to file an affidavit on plain paper stating the total length of qualifying service including details of emoluments drawn during the last ten months of service but excluding the breaks and other non-qualifying periods of service.

(2) The Head of Office shall thereafter determine the qualifying years of service and the emoluments qualifying for pension in accordance with the information available in the official records and the information obtained from the retiring Government employee under sub-rule (1). He shall, then, determine the amount of pension and the amount of death-cum-retirement gratuity.

(3) After the amounts of pension and gratuity have been determined under sub-rule (2), the Head of Office shall take further action as follows:—

- (a) He shall issue a sanction letter addressed to the employee endorsing a copy thereof to the Accountant-General, Punjab authorising—
 - (i) hundred per cent pension as determined under sub-rule (2) as provisional pension; and
 - (ii) hundred per cent of gratuity as determined under sub-rule (2) as provisional gratuity withholding ten per cent of gratuity or thirty thousand rupees, whichever is less.
- (b) He shall indicate in the sanction letter the amount recoverable from the gratuity under sub-rule (1) of rule 9.8. After issue of the sanction letter he shall draw—
 - (i) the amount of provisional pension; and
 - (ii) the amount of provisional gratuity after deducting therefrom the amount mentioned in sub-clause (ii) of clause (a) and the dues, if any, mentioned in rule 9.16 in the same manner as pay and allowances of the establishment are drawn by him.

(4) The amount of provisional pension and gratuity payable under sub-rule (3) shall, if necessary, be revised on the completion of the detailed scrutiny of the records.

(5) (a) The payment of provisional pension shall not be made beyond a period of six months from the date of retirement of the Government employee. If the amount of final pension and amount of final gratuity have been determined by the Head of Office in consultation with the Accountant-General, Punjab, before the expiry of the said period of six months, the Accountant-General, Punjab, shall issue the pension payment order and order for the payment of gratuity accordingly after adjusting the outstanding Government dues, if any, and provisional payments already made.

(b) If the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accountant-General, Punjab within the period of six months referred to in clause (a), the Accountant-General, Punjab shall treat the provisional pension and gratuity as final and shall issue pension payment order and order for the payment of gratuity accordingly immediately on expiry of the said period of six months.

(c) The payment of the amount withheld from the gratuity shall be authorised after deducting therefrom the amount, if any, outstanding against the Government employee which may have come to the notice of the Head of Office after the authorisation of provisional gratuity.

(6) (a) If the amount of provisional pension disbursed to a Government employee under sub-rule (3) on its final assessment under sub-rule (4), is found to be in excess of the final pension assessed by the Accountant-General, Punjab, it shall be open to the Accountant-General, Punjab to adjust the excess amount of pension in the gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (3) or recover the excess amount of pension in instalments by making short payments of pension payable in future.

(b) If the amount of gratuity so disbursed proves to be larger than the amount finally assessed the retired Government employee shall not be required to refund the excess amount actually disbursed to him.

(c) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount finally assessed are minimised and officials responsible for the excess payment shall be accountable for the over-payment.

9.10. Authorisation of Pension and gratuity by the Accountant-General, Punjab.— (1) On receipt of pension papers referred to in rule 9.6, the Accountant-General, Punjab shall apply the requisite checks, record the account encasement in Form Pen.1 and assess the amount of pension and gratuity and issue the pension payment order not later than one month in advance of the date of retirement of the Government employee.

(2) The amount of gratuity as determined by the Accountant-General, Punjab under sub-rule (1) shall be intimated to the Head of Office with the remarks that the amount of the gratuity may be drawn and disbursed by the Head of Office to the retired Government employee after adjusting the Government dues, if any, referred to in rule 9.16.

(3) The amount of gratuity withheld under sub-rule (5) of rule 9.17 shall be adjusted by the Head of Office against the outstanding amount of licence fee intimated by the Accounts Officer Rents or other concerned officer of the Department of Public Works, Punjab and the balance, if any, shall be refunded to the retired Government employee.

9.11. Payment of Provisional pension and gratuity through Money Order.—If the provisional pension or gratuity or both sanctioned under sub-rule (3) of rule 9.9, is desired to be paid by the pensioner through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

9.12. Government employee on deputation.—(1) In the case of a Government employee who retires while on deputation or on transfer to another Government Department, action to authorise pension and gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a Government employee who retires from service, while on deputation to another State Government or Central Government or while on foreign service, action to authorise pension and gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the Cadre authority which sanctioned the deputation or foreign service.

9.13. Interest on delayed payment of gratuity.—(1) If the payment of gratuity has been authorised after three months from the date when its payment became due, and it is clearly established that the delay in payment was due to administrative lapse, then an interest at the rates applicable to deposits in General Provident Fund at the time payment of gratuity became due, shall be paid to the Government employee in respect of the period beyond three months:

Provided that the delay in the payment was not caused on account of failure on the part of the Government employee to comply with the procedure laid down in this Chapter.

(2) Every case of delayed payment of gratuity shall, *suo motu* be considered by the Administrative Department or the Department, as the case may be, and where the Administrative Department is satisfied that the delay in the payment of gratuity was caused on account of administrative lapse, the Administrative Department shall

make a recommendation to the Department of Finance, Punjab for the payment of interest.

(3) If the recommendation of the Administrative Department made under sub-rule (2) is accepted by the Department of Finance, Punjab, the Administrative Department concerned shall issue sanction for the payment of interest.

(4) In all cases where the payment of interest has been authorised with concurrence of the Department of Finance, Punjab, the Administrative Department concerned shall fix the responsibility and take disciplinary action against the Government employee or employees concerned, who are found responsible for the delay in the payment of gratuity.

(5) If as a result of Government's decision taken subsequent to the retirement of a Government employee, the amount of gratuity already paid on his retirement, is enhanced on account of—

(a) grant of emoluments higher than the emoluments on which gratuity, already paid, was determined; or

(b) liberalisation in the provisions of these rules from a date prior to the date of retirement of the Government employee concerned, no interest on the arrears of gratuity shall be paid.

9.14. Provisional pension where departmental or judicial proceedings may be pending.— (1) (a) In respect of Government employee referred to in clause (c) of rule 2.2, the Head of Office shall authorise the provisional pension equal to the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the Government employee or if he was under suspension on the date of retirement, up to the date immediately preceding the date on which he was placed under suspension.

(b) The provisional pension shall be authorised by the Accountant-General, Punjab during the period commencing from the date of retirement up to and including the date on which, after the conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.

(c) No gratuity shall be paid to the Government employee until the conclusion of the departmental or judicial proceedings and issue of final order thereon:

Provided that where departmental proceedings have been instituted under rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, for imposing any of the penalties specified in clauses (i), (ii) and (iv) of rule 5 of the said rules, the payment of gratuity shall be authorised to be paid to the Government employee.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government employee upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

9.15. Revision of pension after authorisation.—(1) Subject to the provisions of rules 2.1 and 2.2, pension once authorised after final assessment shall not be revised to the disadvantage of the Government employee, unless such revision becomes necessary on account of detection of a clerical error subsequently :

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the Head of Office or by the Accountant-General, Punjab, without the concurrence of the Department of Finance, if the clerical error is detected after a period of two years from the date of authorisation of pension.

(2) For the purpose of sub-rule (1), the retired Government employee shall be served with a notice by the Head of Office requiring him to refund the excess payment of pension within a period of two months from the date of receipt of notice by him.

(3) In case the Government employee fails to comply with the notice, the Head of Office shall, by an order in writing, direct that such excess payment, shall be adjusted in instalments by making short payments of pension in future, in one or more instalments, as the Head of Office, may direct.

Note.—An undertaking in triplicate shall be obtained from the applicant who is to receive pension from the Government of Punjab alongwith his application for the grant of pension to the effect that he or in the case of his death his heirs will refund the amount of any pensionary or any other benefit paid to him erroneously or in excess of that due to him and a copy of the undertaking so obtained will be retained each by the pension sanctioning authority and the Accountant-General (Accounts and Entitlement) Punjab and one copy thereof will be forwarded to the District Treasury Officer concerned alongwith the pension payment order.

9.16. Recovery and adjustment of Government dues.—(1) It shall be the duty of the Head of Office to ascertain and assess Government dues payable by a Government employee due for retirement.

(2) The Government dues as ascertained and assessed by the Head of Office which remain outstanding till the date of retirement of the Government employee shall be adjusted against the amount of the death-cum-retirement gratuity becoming payable.

of further information.

(6) The recovery of licence fee for the occupation of the Government accommodation beyond the permissible period of two months after the date of retirement of the allottee shall be the responsibility of the Accounts Officer (Rents) or other concerned Officer of the Department of Public Works, Punjab.

Note.—For the purpose of this rule, the licence fee shall also include any other charges payable by the allottee for any damage or loss caused by him to the accommodation or its fittings.

9.18. Adjustment and Recovery of dues other than dues pertaining to Government accommodation.—(1) For the dues other than the dues pertaining to occupation of Government accommodation as referred to in clause (b) of sub-rule (3) of rule 9.16, the Head of Office shall take steps to assess the dues two years before the date on which a Government employee is due to retire on superannuation, or the date on which he proceeds on leave preparatory to retirement, whichever is earlier.

(2) The assessment of Government dues referred to in sub-rule (1) shall be completed by the Head of Office eight months prior to the date of the retirement of the Government employee.

(3) The dues as assessed under sub-rule (2) including those dues which come to notice subsequently and which remain outstanding till the date of retirement of the Government employee, shall be adjusted against the amount of death-cum-retirement gratuity becoming payable to the Government employee on his retirement.

9.19. When a Government employee retires from service, an office order shall be issued to this effect specifying the date of retirement, within a week of such date, and a copy thereof shall be forwarded immediately to the Accountant General, Punjab:

Provided that where an office order regarding the grant of leave preparatory to retirement to a Government employee is issued, a further office order that the Government employee has actually retired, on the expiry of such leave, shall not be necessary unless the leave is curtailed and the retirement is for any reason antedated or postponed.

CHAPTER X
PAYMENT OF PENSIONS
SECTION I— General Rules

A.—DATE OF COMMENCEMENT OF PENSION

10.1. Apart from special orders, a pension, other than a wound or extraordinary pension under Chapter VIII, is payable from the date on which the pensioner ceased to be borne on the establishment.

Note 1.— The pension of a Government employee who under rule 5.9 has received a gratuity in lieu of notice is not payable for the period in respect of which the gratuity is paid.

Note 2.—A Government employee who has taken leave without pay in the hope of being able to resume duty and who subsequently decides that his health will not permit of his return should not be regarded as entitled to pension from the commencement of his leave without pay.

10.2. The preceding rule applies to ordinary, not to special cases. If, under special circumstances, a pension is granted long after a Government employee had retired, retrospective effect should be given to it without the special orders of the Government; in the absence of special orders such a pension takes effect only from the date of retirement.

10.3. In cases where considerable delay has occurred in making application for a Wound or Injury pension, it will, save as provided in Chapter VIII, be granted only from the date of the report by the Medical Board and no application for a gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

10.4. Omitted.

10.5. Omitted.

10.6. Except where specifically otherwise provided all pensions shall be payable in rupees in India.

10.6-A, 10.6-B, 10.6-C, 10.6-D, 10.6-E, and 10.7 Omitted.

B. —TRANSFERS BETWEEN ENGLAND AND INDIA

10.8 and 10.9. Omitted.

SECTION II.—Payments in India

10.10. Omitted.

10.11. The Accountant-General of the State in which payment is to be made will communicate to the treasury officer, who is to pay the pension, authority to make

the payment, in the case of a pension such authority will be a Pension Payment Order in Form Pen. 10.

Note.—Each pension payment order will be accompanied by a wallet intended to be delivered by the disbursing officer to the pensioner concerned for use in respect of the pensioner's half of the Pension Payment Order.

B.— PAYMENT OF GRATUITIES

10.12. (a) A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant-General's authority.

(b) A gratuity may, at the discretion of the competent authority or with its sanction on the application of the recipient, be converted either into a life annuity, or into a temporary life annuity or into an annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death. The amount of the life annuity will be determined by the table prescribed under the rules in Chapter XI, while that of the temporary life annuity will be determined in each case in consultation with the Actuary to the Government of India on the assumption of the same rates of interest and mortality on which the table prescribed under the rules in Chapter XI is based.

(c) The competent authority will never insist on the conversion of a gratuity into an annuity, unless the expectation of life of the Government employee be reported by competent medical authority to be equal to the average.

C.— LAPSES AND FORFEITURE

10.13. (a) If a pension payable in India remains undrawn for more than one year, the pension ceases to be payable.

(b) If the pensioner afterwards appears or a claim is presented on his behalf the disbursing officer may make the payment but the arrears can be paid:

- (i) if the amount in arrear does not exceed Rs. 25,000 or with the previous sanction of the Collector of the District in which the pension payment office is located if it exceeds Rs. 25,000 but does not exceed Rs. 50,000 provided that in both the cases the arrears are not to be paid for the first time, and
- (ii) in all other cases with the sanction of the authority by whom the pension was sanctioned:

Provided that if in any case a pension remains undrawn for three years in the case of service pension or six years in case of political pension it cannot be paid without the authority of the Accountant-General.

10.14 to 10.22. Omitted.

E-COMMUTATION OF PENSIONS
CHAPTER XI
COMMUTATION OF CIVIL PENSIONS

SECTION I.—General

11.1. (1) A Government employee shall be entitled to commute for a *lump sum* payment any portion of pension consisting of whole rupees not exceeding the portion as may be specified by the Government from time to time:

Provided that maximum portion of pension which may be commuted on or after the 1st day of April, 2014, shall not exceed thirty percent of the pension which has been granted or may be granted to a Government employee under the provisions of these rules:

Provided further that a Government employee against whom judicial or a departmental proceeding has been instituted or a pensioner against whom any such proceeding has been instituted or continued under rule 2.2 (b) of this Volume, shall not be permitted to commute any part of his pension during the pendency of such proceedings.

(2) The portion of pension commuted by a pensioner shall be restored after the completion of a period of fifteen years from the actual date of commutation.

Note 1.—The commutation of an anticipatory pension will require the sanction of the Finance Department (See also sub-note below Rule 11.4 below). An explanation of the reasons of delay in the sanction of final pension should be furnished to the Finance Department alongwith the report on the title to the commutation applied for. In order to secure repayment of the commuted value of the part of an anticipatory pension paid in declaration in the form below should be obtained from the pensioner concerned along with the application for commutation.

FORM OF DECLARATION

"Whereas the (here state the designation of the officer sanctioning the commutation) has consented, provisionally to advance to me the sum of..... being the commuted value of a part of the anticipatory pension, in anticipation of the completion of the enquiries necessary to enable the Government to fix the amount of any pension and consequently the part of that pension that may be commuted. I hereby acknowledge that in accepting the advance, I fully understand that the commuted value now paid is subject to revision on the completion of the necessary formal enquiries, and I promise to base no objection to such revision on the ground that the provisional amount now to be paid to me as the commuted value of the part of anticipatory pension exceeds the amount to which I may be eventually found entitled. I further promise to repay either in cash or by deduction from subsequent payments of pension any

amount advanced, to me in excess of the amount to which I may be eventually found entitled."

Note 2.—If two different Governments within the meaning of direction in Appendix 3 to the Punjab Financial Rules, are concerned, a Government employee shall be deemed to be under the administrative control of the Government (other than Central Government) to which the payment of the commuted value of his pension will be debited and the application for commutation shall be disposed of by that Government according to the procedure rules framed for its own employee. In cases, in which the commuted value of a pension divisible between the Central Government and that State Government is wholly chargeable to the Central Government, the application for commutation should be decided by the State Government to which the pension is partly chargeable. If, however, an application for commutation is made before the date on which the pension is sanctioned, the Government under which the applicant was last permanently employed shall be the Government competent to dispose of his application in accordance with the procedure rules prescribed for its employees.

Note 3.—No Government employee, even if belonging to a class entitled to commute ordinary pension, is entitled to commute a compassionate allowance. A commutation of such an allowance may be sanctioned by a competent authority only on proof that the proceeds of the commutation will be invested for the permanent benefit of the commuter's family.

Note 4.—These rules are also followed generally, as a matter of convenience, in respect of commutation of pension of political pensioners who are non-officials, subject to the following main reservations:—

- (1) the tables of present values prescribed under rule 11.5 apply to commutation of these pensions with 10 per cent deduction;
- (2) the reduction of pension by the commuted portion will take effect from the date of payment of the commuted value.

SECTION II.— Submission of Applications

11.2. An application for commutation of pension should be made in Part I of Form Pen. 12, accompanied by two passport size photographs (one duly attested and other without any attestation) and addressed to the:—

- (i) authority competent to sanction his pension, through the Head of the Office in which he is or was employed, or; if he is or was himself the Head of Office, through the Head of his Department, if the applicant is still in service, or has retired but his pension has not yet been sanctioned; and
- (ii) Head of the Office in which he was employed at the time of his retirement, or if, he was himself the Head of Office, to the Head of his Department, if the applicant's pension has already been sanctioned.

11.3. The authorities mentioned in rule 11.2, after complying with the instructions contained in Note 2 under rule 11.6, shall forward the application to the Accounts Officer who is reporting on the title to his pension in the case of an applicant mentioned in rule 11.2 (i), and in the case of an applicant mentioned in rule 11.2(ii), to the Accounts Officer of the State in which the treasury from which the pensioner draws his pension is situated.

Note 1.—If the pensionary charge is adjustable in the books of a different Accounts Officer, who received the application, should transmit it forthwith to that officer.

Note 2.—In forwarding an application for commutation of pension already sanctioned, the number of the Pension Payment Order held by the pensioner and the name of the treasury from which the pension is drawn, should invariably be given to enable the Accounts Officer to trace his pension file.

SECTION III.— Report by the Accounts Officer

11.4. The Accounts Officer should complete Part II of Form Pen. 12 without delay and transmit it together with copies of the medical reports mentioned in the concluding portion of rule 11.7 (iii), if they are on record in his office, to the authority competent to sanction the commutation, whether that authority is correctly named in Part I, or not.

Note.—In order to avoid delay and save the pensioners from loss, the Accounts Officer should issue a report on the commutation of pension in advance of the formal report on the title to pensions in cases in which the report on the title to pension is not likely to be issued, in sufficient time to permit of arrangements being carried through before the applicant's next birthday: provided that the portion of the pension to be commuted is clearly well below one-half of the approximate amount of the total pension likely to be sanctioned. If, in such a case, the commutation becomes absolute before the pension is formally sanctioned, the payment of commutation money should not be authorised until the formal sanction of the pension is received but an intimation of the possibility of loss because of delay in the sanction to pension should be sent to the pensioner when reporting on the claim for commutation.

This relates to the position which exists when no pension has been sanctioned, i.e., it contemplates that no commutation of pension, will be paid until the pension itself is sanctioned. In the case of an anticipatory pension sanction to the amount of pension granted as anticipatory pension can for all practical purposes be taken as given, since an anticipatory pension is always sanctioned at an amount less than the amount of pension ordinarily admissible. In cases in which a portion of an anticipatory pension is commuted, commutation value should, therefore, be paid as soon as the commutation becomes absolute and that reports on the title to commutation of a portion of an anticipatory pension should be referred to the Administrative Department concerned who will obtain the concurrence of the Finance Department.

11.5. (1) The lump sum payable on commutation shall be calculated in accordance with a table or tables of present values which shall be prescribed by the competent authority.

Note 1.—The lump sum payable on commutation to Government employees who have served under more than one Government when the commutation tables applied by the different Government are not identical, shall be calculated according to the commutation table of the Government under whose rule making control they are, at the time of retirement. In the case of Government employees who are temporarily lent by one Government to another, the commutation shall be according to the table of the lending Government and in the case of those who are permanently transferred from one Government to another it shall be according to the table of the Government to which their services have been permanently transferred.

Note 2.—In the event of the table of present values applicable to an applicant having been modified between the date of administrative sanction to commutation and the date on which commutation is due to become absolute, payment shall be made in accordance with the modified table, but it shall be open to the applicant if the modified table is less favourable to him than that previously in force, to withdraw his application by notice in writing despatched within 14 days of the date on which he receives notice of modification.

(2) The table of present value is given in Annexure to this Chapter and will be applicable to all Government employees.

For the purpose of this rule, the age, in case of impaired lives, shall be assumed to be such age, not being less than the actual age as the certifying medical authority may direct.

SECTION IV—ADMINISTRATIVE SANCTION AND MEDICAL EXAMINATION

A.—ADMINISTRATIVE SANCTION

11.6. The authority competent to sanction commutation should thereupon accord its administrative sanction in Part III of Form Pen.12.

Note 1.—If the Accounts Officer's certificate in Part II shows that the commutation charge falls partly on any other State Government which has stipulated that it should be consulted regarding availability of funds, the sanctioning authority must obtain that Government's consent before it accords administrative sanction. These Governments are Tamil Nadu, Maharashtra, Bengal, Uttar Pradesh and Assam.

Note 2.—The authority competent to sanction commutation may authorise a responsible Group 'A' or Group 'B' Government employee to sign for him the administrative sanction in Part III of Form Pen. 12.

**B. –INTIMATION TO THE APPLICANT AND THE CHIEF ADMINISTRATIVE
MEDICAL OFFICER**

11.7. The sanctioning authority should then–

- (i) transmit to the applicant, on Form Pen.13, a certified copy of the Accounts Officer's certificate contained in Part II of Form Pen.12 (of lump sum payable on commutation in the event of his being reported by the medical authority prescribed in rule 11.9 to be a fit subject for commutation) and one copy of Form Pen.14, Part I of which is to be filled in by the applicant before his medical examination and handed to the medical authority.
- (ii) instruct him to appear for examination before the said medical authority, in fixing the date of medical examination, it shall be ensured that the medical examination is held after the actual date of retirement of the applicant and that as far as possible, it is held before the date of his next birthday. This intimation shall constitute administrative sanction to commutation of pensions.
- (iii) forward to the Chief Administrative Medical Officer, in original the completed Form Pen. 12 together with a copy of Form Pen.14, a copy of the unattested photograph sent alongwith the application as in rule 11.2 above and an extra copy of Part III of that Form if the applicant has been granted an invalid pension, or has previously commuted any portion of his pension (or declined to accept commutation on the basis of an addition of years to his actual age, or has been refused commutation) on medical grounds, copies of the previous medical reports or statement of his case.

C.–MEDICAL EXAMINATION

11.8. The Chief Administrative Medical Officer should arrange for the medical examination of the applicant by the medical authority prescribed in rule 11.9 at the nearest available station to that named by the applicant in Part I of Form Pen. 12 and as early as possible within the period prescribed and inform the applicant direct. The Form and other documents shall be transmitted by the Chief Administrative Medical Officer to the examining medical authority.

11.9. (i) Before any commutation administratively sanctioned becomes absolute, the applicant must be examined by the proper medical authority hereinafter prescribed—

(ii) The Medical authority shall be—

- (a) in the case of an applicant who has been or is about to be granted an invalid pension or in whose case the total of the amount of the pension to be commuted together with the amount or amounts previously commuted, if any, exceeds Rs. 2,500—a Medical Board or a Standing Invaliding Committee in the State concerned nearer to the place of applicant's residence before which the applicant must appear in person;
- (b) applicant who has not been or is not about to be granted an invalid pension and who applies for commutation, of a sum such that the total of the amount of pension to be commuted, together with the amount or amounts previously commuted, if any, if Rs. 2,500 or less, the Medical Officer, not being of lower status than the Chief Medical Officer or Principal Medical Officer of the district in which he is ordinarily resident.

(iii) The medical authority after obtaining from the applicant a statement in Part I of Form Pen. 14 (which must be signed in its presence) shall subject him to a strict examination; enter the results in Part II of Form Pen. 14 and record its opinion as to the accuracy with which the pensioner has answered the questions prescribed in Part I regarding his medical history and habits. Lastly, it shall attest the unattested copy of the photograph of the pensioner, and complete the certificate contained in Part III of Form Pen. 14.

(iv) In the case of an applicant who has been or is about to be granted an invalid pension, the grounds of invaliding or the statement of the medical case shall be duly considered by the certifying medical authority before the certificate (Part III of Form Pen.14) is signed.

(v) The applicant shall be required to pay for medical examination such fee as may be fixed by the Government (in the Department of Health & Family Welfare) from time to time. If the examination is conducted by a single medical officer, the applicant shall himself pay the fee of the medical officer who shall retain three-fourth amount of the fee and credit the remaining one-fourth to Government but if he is originally examined by a Medical Board or an invaliding committee in India, he shall pay one-fourth of the fee into a Government treasury and make over the receipt for the same to the Board or Committee before examination, together with the remaining three-fourth amount of the fee in cash to be retained and divided by

the members of the Board or the Committee, as the case may be, among themselves. If he is examined by a Board outside India, he shall pay to the board such fee as may be required of him.

Note 1.—The fee fixed under this rule applies only in the case of ordinary monthly standing Medical Board and Invaliding Committee. In cases where special Medical Boards or Committees are convened at a very short notice in the interest of the applicant, the Government (in the Department of Health & Family Welfare) may fix a higher fee equal to three times the amount of fee fixed under sub-rule (v) of this rule and such fee shall also be apportioned in the same ratio as laid down in this rule.

Note 2.—No fee will be payable for medical examination in the case of Government employees in Group 'D' service who are granted invalid pensions under rule 5.11.

(vi) An applicant who has once been refused commutation on medical ground or after he has once declined to accept commutation on the basis of an addition of years to his actual age, may apply for a second medical examination, at his own expense if at least a year has elapsed, since his first examination. Such an examination shall invariably be made by a Medical Board or Standing Invaliding Committee.

The medical authority examining the pensioner should be furnished, in addition to the documents mentioned in the concluding portion of rule 11.7 (iii), with a copy of the report of the medical authority which previously examined him.

(vii) The ultimate medical authority prescribed in clause (ii) shall without delay forward the completed Forms Pen.12 and Pen.14 in original and the copy of photograph attested by it, to the Accounts Officer, who gave the certificate, contained in Part II of Form Pen.12, a certified copy of the completed Form Pen.14 to the sanctioning authority. A certified copy of Part III of Pen.14 should be given to the pensioner on the spot after his medical examination.

Note 1.—If in the opinion of the medical authority prescribed in clause (ii) some special examination is necessary which is not in a position to carry out itself, it may require the applicant to undergo such examination at his own expense. No refund of such expenditure will be given by Government irrespective of the result of the examination.

Note 2.—In case, a copy of the report of the medical authority or the intimation by the Accounts Officer, where necessary, of the revised sum payable on commutation, has to be sent to the applicant by post, it should be sent invariably by registered post with acknowledgement due to the Accounts Officer.

D.—LAPSE OF ADMINISTRATIVE SANCTION AND THE PERIOD FOR THE WITHDRAWAL OF APPLICATION

11.10. The applicant may withdraw his application by written notice despatched at any time before medical examination is due to take place, but this option shall expire on his appearance before a medical authority:

Provided that, if the medical authority directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice despatched within two weeks from the date on which he receives intimation of the revised sum payable on commutation or, if this sum is already stated in the sanctioning order within two weeks from the date on which he receives intimation of the finding of the medical authority.

If the applicant does not withdraw in writing his application within the period of two weeks prescribed above, he shall be assumed to have accepted the sum offered.

Note.—When the medical authority has directed that the age of an applicant shall be assumed to be greater than his actual age he will be allowed in addition to the option of withdrawing his application, the option of reducing the amount mentioned in his application within two weeks from the date on which he receives instructions of the revised sum payable on commutation.

E.—COMMUTATION TO BECOME ABSOLUTE

11.11. Subject to the provisions contained in rule 11.12 and subject to the provisions for the withdrawal of an application under rule 11.10, the commutations shall become absolute, that is the pensioner shall become entitled to receive the commuted value, on the date on which the Medical Board/Authority signs the medical certificate.

Note 1.—The applicant who has clearly indicated his intention to commute the maximum amount of his pension or expressed the amount proposed to be commuted as a fraction or, percentage of the full and final pension, within the maximum permissible limit and is allowed to commute such fraction or percentage of the anticipatory or the provisional pension sanctioned to him on the earlier occasion, shall neither be required to apply a fresh nor to produce a fresh certificate of medical examination for commutation of the difference between the fraction or percentage of the final pension and the anticipatory or provisional pension. As the commutation in such cases is payable in two instalments—one out of the anticipatory or provisional pension and the other after final assessment of pension—the report from the Audit Officer will have to be called for in Part II of Form Pen.12 for commutation of Civil Pensions,

twice. A fresh sanction of the administrative authority for the difference of the commuted value, i.e., the maximum value accrued minus value commuted provisionally shall be necessary, regard, however, being had to the need for further medical examination as in Note 2 below. This will also apply to cases where the pension finally sanctioned to a retired Government employee is subsequently revised retrospectively.

Note 2.—A person who is allowed provisionally to commute portion of his pension not exceeding Rs. 2,500 and who anticipates that the final amount of pension that he would be entitled to commute might exceed Rs. 2,500, shall indicate that fact in his application in case he desires to commute a sum exceeding Rs. 2,500. The sanctioning authority shall in such cases arrange for medical examination as if the amount to be commuted exceeds Rs. 2,500. In case such fact is not indicated, the Government employee shall be permitted, on finalisation of the amount of his pension, to commute the difference between the amount of pension originally commuted and Rs. 2,500 without further medical examination, if the original amount commuted together with the difference referred to does not exceed Rs. 2,500. If the same exceeds Rs. 2,500 the commutation of any further sum, if admissible shall be treated as fresh commutation and allowed subject to examination by a Medical Board.

The date on which the Medical Board signs the Medical report shall be the date of effect for the difference of the account of the portion of pension to be commuted for which the medical examination is conducted.

11.12. If the applicant makes any statement found to be false within his knowledge or wilfully suppresses any material fact in answer to any question, written or oral, put to him in connection with his medical examination the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of rule 2.2.

11.12-A. (1) Notwithstanding anything contained in rules 11.2 to 11.4 and 11.6 to 11.12 a Government employee, who applies for commutation of pension within one year of the date of his retirement on superannuation or within one year of the expiry of extension if such a Government employee is granted extension of service after superannuation shall not be subjected to medical examination as required under these rules for the purpose of payment of commuted value of pension. Application for commutation of pension shall be made in Form Pen. 14-A after the date of retirement and the commutation shall become absolute. The retired Government employee shall become entitled to receive the commuted value on the date of which his application is received by the Head of Office:

Provided that the Government employee shall not be allowed to withdraw his application given for commutation of pension under this rule.

(2) The operative date for the reduction in the amount of pension in the case of those Government employees who avail of the benefit of commutation of pension without medical examination under sub-rule (1), will be the date on which the pensioner receives the commuted value of pension or the date on which period of three months after the issue of authority by the Accountant-General, Punjab, asking the pensioner to collect the commuted value of the pension expires, whichever is earlier.

11.12-B. (1) The benefit of commutation of pension without medical examination as provided, in rule 11.12-A above shall *mutatis mutandis* be admissible to a Government employee who is granted—

- (i) a retiring pension under rule 4 of the Punjab Civil Services (Premature Retirement) Rules, 1975, or under rule 5.32 of the Punjab Civil Services Rules, Volume II; or
- (ii) a compensation pension on absorption in a service or post in or under a corporation, or company or body under sub-rule (2) of the said rule 5.3 and who opts to receive Death-cum-Retirement Gratuity and monthly pension; or
- (iii) a compensation pension on the abolition of permanent post under rule 5.2.

(2) The benefit of commutation of pension without medical examination under rule 11.12-A shall not be admissible to a Government employee, who—

- (a) retires on invalid pension under rule 5.11 or who on absorption in a service or post in or under a corporation or company or a body opts for the alternative of receiving the Death-cum-Retirement Gratuity and a lump sum in lieu of pension under sub-rule (2) of rule 5.3; or
- (b) applies for commutation of pension after one year of the date of his retirement, except when the grant of pension is held up on account of any judicial or departmental proceedings as in such cases the period of one year shall be deemed to commence with effect from the date the proceedings are concluded without extinguishing the title to pension.

SECTION V.—Payment of Commuted Value

11.13. (a) The Accounts Officer on receipt of the completed Forms Pen. 12 and Pen.14 and the copy of photograph attested by the Medical authority, shall arrange forthwith for the payment of the appropriate commuted value and for the corresponding reduction of pension.

(b) If the applicant on receipt of the sanction order withdraws his application within the period prescribed in rule 11.10 he should intimate his intention in writing to the Accounts Officer direct and to the sanctioning authority simultaneously.

Note 1.—If the medical certificate prescribes that more than five years should be added to the applicant's actual age, the Accounts Officer, shall forthwith inform the applicant of the revised sum payable on commutation.

Note 2.—See also rules 7.5 and 7.6.

11.14. Payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. The reduction in the amount of pension on account of commutation shall become operative from the date of receipt of the commuted value of the pension by the pensioner or three months after the issue of the authority asking the pensioner to collect the commuted value of the pension by the Accountant-General, whichever is earlier. This date will be entered in both halves of the Pension Payment Order by the Treasury Officer under intimation to the Accountant-General.

Note 1.—In the case of an impaired life, this rule does not preclude the pensioner's right to record his acceptance of the commutation after the medical examination and before he receives intimation of the revised sum payable on a commutation from the Accounts Officer. Such acceptance will, however, always be treated as final, that is to say, the pensioner will have no title whatsoever to rescind his acceptance on receipt of intimation of the revised sum from the Accounts Officer.

Note 2.—In view of the fact that rule 11.11 confers an absolute right on commutation subject to the prescribed conditions, payment of commuted value should not be postponed on the ground of lack of funds.

11.15. Omitted.

11.16. If the pensioner dies on or after the day on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

11.17. A commutation once applied for, sanctioned and given effect to, cannot be rescinded, i.e., the portion of a pension commuted cannot be restored on refund of the capitalised value.

ANNEXURE

[Referred to in Rule 11.5(2)]

COMMUTATION VALUE FOR A PENSION OF RE. 1 PER ANNUM

Age next birthday	Commutation value expressed as number of years purchase	Age next birthday	Commutation value expressed as number of years purchase	Age next birthday	Commutation value expressed as number of years purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		

CHAPTER XII

LIST OF AUTHORITIES WHO EXEERCISE THE POWERS OF COMPETENT AUTHORITY

12.1. The following authorities shall exercise the powers of competent authority under the various rules:—

Sr. No.	No. of Rule	Nature of power	Authority to which the powers delegated	Extent
1	2	3	4	5
1.	2.5	Power to grant compassionate allowance to a Government employee dismissed or removed from service for misconduct, insolvency, or inefficiency.	Authority competent to order dismissal or removal of the Government employee.	Up to half of the pension that would have been admissible to the Government employee dismissed or removed if he had retired on medical certificate provided it is specifically explained why his case deserves special consideration and for what special reasons maximum allowance admissible had to be granted.
2.	Omitted.			
3.	4.12	Power to declare that the periods spent by Government employees undergoing a course of training shall be counted towards pension.	All Departments of Government	Full powers except in regard to a person in training for, but not actually appointed to, Government service.
4	Omitted.			
4-A	7.20	Powers to fix pay of Military pensioners on re-employment in civil posts.	Departments of Government and the Speaker, Punjab Vidhan Sabha	Full powers.

1	2	3	4	5
4-B	7.26	Power to sanction the acceptance of commercial employment by a pensioner before the expiry of two years from the date of retirement.	All Departments of Government	Full Powers.
4-C	7.18	Power to fix the pay and allowances of pensioners on re-employment.	All Departments of Government	Full powers
5.	11.6	Power to sanction the commutation of Civil pensions.	All Heads of Offices	Full powers in respect of Government employees under them, subject to the provisions of chapter XI.

Note. (i) The Administrative Department may redelegate the powers delegated to them in the above table to the Heads of Department on their own responsibility and subject to such restrictions as they may like to impose:

Provided that such redelegated powers shall be exercised personally by the Heads of Departments and shall, in no circumstances be further delegated by them to officers subordinate to them:

Provided further that the copies of all such orders shall invariably be endorsed to the Accountant-General (Accounts and Entitlement) and the Accountant-General (Audit).

(ii) The Heads of Departments may redelegate the powers delegated to them in the above table other than the powers delegated to them under clause (i) above to any officer subordinate to them at their headquarter's offices on their own responsibility and subject to such restrictions as they may like to impose:

Provided that such redelegated powers shall be exercised personally by such officers and shall in no circumstances be further delegated:

Provided further that the copies of all such orders shall invariably be endorsed to the Accountant-General (Accounts and Entitlement) and the Accountant-General (Audit).

PART II- PROVIDENT FUNDS

TABLE OF CONTENTS

Chapter XIII	The Punjab General Provident Fund Rules	Rule
	Short Title and definitions	13.1
	Constitution of the Fund	13.3
	Nominations	13.7
	Subscriber's Accounts	13.8
	Conditions and rates of subscriptions	13.9
	Realisation of subscriptions	13.12
	Interest	13.13
	Advances from the Fund	13.14
	Payments Towards Insurance Policies	Omitted
	Final withdrawal of accumulations in the Fund	13.28
	Procedure Rules	13.34
	Chapter XIV	The Punjab Contributory Provident Fund Rules	Omitted

CHAPTER XIII

THE PUNJAB GENERAL PROVIDENT FUND RULES

SHORT TITLE AND DEFINITIONS

13.1. The rules in this Chapter (called "The Punjab General Provident Fund Rules"), came into force on the 1st September, 1936. These rules do not apply to the Government employees who were appointed on or after the first day of January, 2004.[See proviso to rule 1.2 of Punjab Civil Services Rules, Volume I(Part I)].

13.2. (1) In these rules.—

- (a) "Accounts Maintenance Authority" means such officer as may be appointed in this behalf by the Department of Finance of the State Government.
- (b) Except where otherwise expressly provided 'emoluments' means pay, leave salary or subsistence grant as defined in the Punjab Civil Services Rules, Volume I, and any remuneration of the nature of pay received in respect of foreign service.

Note.—Emoluments include 'Dearness Pay'.

(c) Family means –

- (i) in the case of a male subscriber, the wife or wives, and children of a subscriber, and the widow, or widows and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matter to which these rules relate, unless the subscriber subsequently indicates by express notification in writing to the Accounts Maintenance Authority that she shall continue to be so regarded;

- (ii) in the case of a woman subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber:

Provided that if a subscriber by notification in writing to the Accounts Maintenance Authority expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matter to which these

rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

Note 1.—Children means legitimate children.

Note 2.—An adopted child shall be considered to be a child when the Accounts Maintenance Authority, or if any doubt arises in the mind of the Accounts Maintenance Authority, the Legal Remembrancer to Government, Punjab, is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child, but in this case only.

When a person has given his child in adoption to another person and if, under the personal law of the adopter, adoption is legally recognised as conferring the status of a natural child, such a child should, for the purposes of these rules, be considered as excluded from the family of the natural father.

(d) Fund means the General Provident Fund.

(e) Leave means any variety of leave recognised by the Punjab Civil Services Rules.

(f) Year means a financial year.

(2) Any other expression used in these rules which is defined either in the Provident Funds Act, XIX of 1925 (reproduced in Appendix IV), or in the Punjab Civil Services Rules, Volume I, is used in the sense therein defined.

(3) Nothing in these rules shall be deemed to have the effect of terminating the existence of the General Provident Fund as heretofore, or of constituting any new Fund.

CONSTITUTION OF THE FUND

13.3. (1) The Fund shall be maintained in India in rupees.

(2) All sums paid into the Fund under these rules shall be credited in the books of Government to an account named 'The General Provident Fund'. Sums of which payment has not been taken within three years in the case of Group 'D' employees and six months in the case of all other employees after they become payable under these rules shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

13.4. All temporary Government employees, after a continuous service of one year, all re-employed pensioners (other than those eligible for admission to the Contributory Provident Fund) and all permanent Government employees shall subscribe to the Fund :

Provided that no such employee as has been required or permitted to subscribe

to a Contributory Provident Fund shall be eligible to join or continue as a subscriber to the Fund, while he retains his right to subscribe to such Fund.

Note 1.—Apprentices and probationers shall be treated as temporary Government employees for the purpose of this rule.

Note 2.—A temporary Government employee who completes one year of continuous service during the middle of a month shall subscribe to the Fund from the subsequent month.

Note 3.—The following Government employee shall also subscribe to the Fund, provided that they have not been required or permitted to subscribe to a Contributory Provident Fund :—

- (1) Section writers who are members of fixed establishments and piece-workers in Government Presses.
- (2) Members of the Punjab Public Service Commission who were not in the service of a Government in India at the time of their appointment.

Note 4.—Temporary Government employees (including apprentices and probationers) who have been appointed against regular vacancies and are likely to continue for more than a year, may subscribe to the General Provident Fund any time before completion of one year's service.

Note 5.—A Temporary Government employee who is borne on an establishment or factory to which the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (Central Act No.19 of 1952) would apply or would have applied but for the exemption granted under Section 17 of the said Act, shall subscribe to the General Provident Fund if he has completed six months' continuous service or has actually worked for not less than 120 days during a period of six months or less in such establishment or factory or in any other establishment or factory to which the said Act applies under the same employer or partly in one and partly in the other or has been declared permanent whichever date is the earliest.

Explanation.—For the purposes of this rule 'Continuous Service' shall have the same meaning as assigned to it in the Employees' Provident Fund Scheme, 1952, and the period of work for 120 days shall be computed in the manner specified in the said scheme and shall be certified by the employer.

13.5. Omitted.

13.6. Omitted.

NOMINATIONS

13.7. (1) A subscriber shall, at the time of the joining the fund, send to the Accounts Maintenance Authority, a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable or having become payable has not been paid:

Provided that if, at the time of making the nomination the subscriber has a family the nomination shall not be in favour of any person or persons other than the members of his family:

Provided further that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the Fund, shall, if the amount to his credit in such other fund, has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes nomination in accordance with this rule.

Note 1.—An application for admission to the Fund should not be forwarded to the Accounts Maintenance Authority, until it is accompanied by nomination forms completed by the subscriber.

Note 2.—A declaration made by a Mohammedan subscriber in favour of his adopted child should not be accepted, as adoption is not recognised in Mohammedan Law.

(2) If a subscriber nominates more than one person under clause (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the Forms P.F.I, I-A, I-B or I-C, as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Maintenance Authority:

Provided that the subscriber shall, along with such notice, send a fresh nomination made in accordance with the provisions of clauses (1) to (3).

Note.—The proviso to this clause is directory and not mandatory. The additional provision that a fresh nomination should be sent along with a notice does not affect the validity or otherwise of the notice. The proviso thus, does not constitute a condition for the validity of the notice. Once a notice is given complying with the above requirements, it operates as a valid and effective notice: Provided it is given in clear unambiguous terms. In view of this it shall not be in order to make the payment of the deposits in the General Provident Funds on the basis of the nomination, which is expressly cancelled by the subscriber by a notice given in clear and unambiguous terms but which is not replaced by another valid nomination. After receiving such a notice of cancellation of nomination, the nomination should be cancelled forthwith and returned to the subscriber. If the subscriber fails to furnish along with the notice of cancellation or separately in due course, a fresh nomination which is in accordance with the rules and the Provident Fund become payable as a result of the death of the subscriber, the payment should be made in accordance with the rules of the Fund as if no valid nomination subsists.

(5) A subscriber may provide in a nomination—

- (a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination: Provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members;
- (b) that the nomination shall become invalid in the event of happening of a contingency specified therein: provided that if at the time of making the nomination the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family:

Provided further that if at the time of making the nomination the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternative nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (5), or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-rule 5, the subscriber shall send to the Accounts Maintenance Authority a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.

(7) Every nomination made by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Maintenance Authority.

SUBSCRIBERS ACCOUNTS

13.8. An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in sub-rule (2) of rule 13.13.

CONDITIONS AND RATES OF SUBSCRIPTIONS

13.9. (1) A subscriber shall subscribe monthly to the Fund except during the period of service treated as *dies non* or when he is under suspension:

Provided that a subscriber may at his option, elect not to subscribe during any period of leave other than earned leave of less than 30 days duration as the case may be; but this option shall not be exercised during vacation when the leave is combined with vacation:

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrear subscriptions payable for the period.

(2) The subscriber shall intimate his election not to subscribe during leave in the following manner:—

- (a) If he is an officer who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave.
- (b) If he is not an officer who draws his own pay bills, by written communication to the head of his office before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

The option of a subscriber intimated under this sub-rule shall be final.

(2-A) The subscription of a subscriber shall be stopped six months before his date of retirement to enable the Accounts Maintenance Authority to complete his account for final payment of balance at his credit.

(3) A subscriber, who has under rule 13.29 withdrawn the amount standing to his credit in the Fund, shall not subscribe to the Fund after such withdrawal unless he returns to duty.

Note.—The term '*dies non*' in relation to the period of service means the period which does not exist and is not counted for the purpose of pension, leave and seniority or for any other purpose.

13.10. (1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions—

- (a) it shall be expressed in whole rupees;
 - (b) it may be any sum, so expressed, not less than 8 per cent of his pay (including dearness pay) and not more than his total pay.
- (2) For the purposes of clause (1) the emoluments of a subscriber shall be—
- (a) In the case of a subscriber who was in Government service on the 31st March, of the preceding year, emoluments to which he was entitled on that date:

Provided as follows;

- (i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said

date, or the period of service on that date is treated as *dies non* his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;

(iii) if the subscriber joined the Fund for the first time, his emoluments shall be the emoluments to which he was entitled on the date of joining the Fund.

(b) In the case of subscriber who was not in Government service on the 31st March of the preceding year, the emoluments to which he was entitled on the date he joins the Fund.

(3) The subscriber shall intimate the fixation of the amounts of his monthly subscription in each year in the following manner:—

(a) if he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;

(b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave, or was under suspension on that date the period of service on that day is treated as *dies non* by the deduction which he makes in this behalf from his first pay bill after his return to duty;

(c) if he has entered Government service for the first time during the year, or joins the Fund for the first time by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund;

(d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his pay bill for that month;

(e) if he was on foreign service on the 31st March of the preceding year, by the amount credited by him into the treasury on account of subscription for the month of April in the current year.

(4) On the request of the subscriber the amount of subscription fixed under sub-rule (3) may be changed twice during the course of the year in the paid months of April and November.

Note. Omitted

13.11. When a subscriber is transferred to foreign service or sent on deputation out of India, he shall remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.

REALISATION OF SUBSCRIPTIONS

13.12. (1) When emoluments are drawn from a Government Treasury, recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

(2) When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Accounts Maintenance Authority.

(3) If a Government employee fails to subscribe with effect from the date on which he is required to join the Fund the total amount due to the Fund on account of arrears of subscription shall, with interest thereon at the rate provided in rule 13.13, forthwith be paid by the subscriber to the Fund, or in default be ordered by the Accounts Maintenance Authority to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the authority competent to grant an advance under clause (1) of rule 13.14.

INTEREST

13.13. (1) Subject to the provisions of clause (5) below, Government shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year according to the method of calculation prescribed from time to time by the competent authority.

(2) Interest shall be credited with effect from the last day in each year in the following manner:—

- (i) on the amount at the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year—interest for twelve months;
- (ii) on sums withdrawn during the current year—interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;

- (iii) on all sums credited to subscriber's account after the last day of the preceding year—interest from the date of deposit up to the end of the current year;
- (iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee):

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this clause in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing at the credit of the subscriber became payable.

(3) In this rule, the date of deposit shall, in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is recovered; and in the case of an amount forwarded by the subscriber shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Maintenance Authority before the fifth day of that month, but if it is received on or after the fifth day of that month the first day of the next succeeding month.

(4) In addition to any amount to be paid under rules 13.28, 13.29 or 13.30, interest thereon up to the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that:

- (i) in the case of Government employees other than Group 'D' employees the payment of interest on the Fund balances beyond a period of six months up to any period may be authorised by the Head of Department after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber and that the administrative delay involved in the matter shall be fully investigated and action, if any, required, taken; and
- (ii) in the case of Group 'D' employees the payment of the interest on the Fund balances beyond a period of six months upto a period of one year may be authorised by the Heads of Office and payment of the interest on Fund balance beyond that period upto any period may be authorised by the Head of Department after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the persons to whom such payment was to be made and in every such case, the administrative delay involved in the matter shall be fully investigated and action, if any, required, taken:

Provided further that where the Accounts Maintenance Authority has intimated to that person (or his agent) a date on which he is prepared to make payment in cash, or has posted a cheque, in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated, or the date of posting the cheque, as the case may be:

Provided further that where a subscriber on deputation to a body corporate, owned or controlled by Government or an autonomous Organisation, registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such body corporate or organisation with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber, the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber became payable, subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be subscription to the Fund only for the purpose of awarding interest under this sub-rule.

(5) Interest shall not be credited to the account of Mohammedan subscriber if he informs the Accounts Maintenance Authority that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

(6) The interest on amounts which under sub-rule (3) of rule 13.12, rule 13.28 or rule 13.29, are replaced at the credit of the subscriber in the Fund shall be calculated at such rates as may be successively prescribed under clause (1) of this rule and so far as may be in the manner described in this rule.

Note 1.—When a subscriber is dismissed, removed or retired prematurely or compulsorily from the service of Government but has appealed against his removal, the balance at his credit shall not be paid over to him until final orders confirming the decision are passed on his appeal. Interest, shall, however, be paid on the balance up to the end of the month preceding that in which such orders are passed.

Note 1-A.—When a subscriber is dismissed, removed, retired prematurely or compulsorily from the service of Government, the balance at his credit shall not be paid to him until he declares that the appeal, review or memorial or judicial proceedings as the case may be, provided under the relevant rules against such order, has been finally decided confirming the decision of dismissal, removal or premature or compulsory retirement or until a certificate to the effect that no such appeal, review, memorial or judicial proceeding is pending or would be filed, is furnished:

Provided that the balance at the credit of such subscriber may be paid to him after the

date on which he would have retired on superannuation had he not been dismissed, removed or retired prematurely or compulsorily from the service of Government subject to the condition that an affidavit shall be obtained from him to the effect that if the appeal, review or memorial or judicial proceedings as the case may be, are decided in his favour, he shall not apply for an extension of service under the provisions of rule 3.26 of Punjab Civil Services Rules, Volume I (Part I).

Note 2. Omitted.

13.13-A. Omitted.

ADVANCES FROM THE FUND

13.14. (1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the competent authority subject to the following conditions:—

- (a) No advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise –
 - (i) to pay expenses in connection with the prolonged illness of the applicant and members of his family or any person actually dependent on him;
 - (ii) to pay for the overseas passage only for reasons of health or education of the applicant and members of his family or any person actually dependent on him. Advances from provident fund may also be granted to a subscriber, subject to the usual conditions to meet the cost of education of himself or of any person actually dependent on him in the following types of cases:—
 - (1) for education outside India, whether for an academic, technical, professional or vocational course;
 - (2) for medical, engineering and other technical, specialised or professional courses in India beyond the High School stage: Provided that the course of studies is not less than three years;
 - (3) Omitted.
 - (4) The pre-sea training courses of recognised institutions for prospective navigation officers on merchant ships.
 - (iii) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with marriages, funerals, or other ceremonies;

- (iv) to meet the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to have been done by him in the discharge of his official duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source:

Provided that the advance under this sub-clause shall not be admissible to a subscriber who institutes legal proceedings in any court of law either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him;

- (v) to meet the cost of his defence where the subscriber is prosecuted by Government in any court of law or where the subscriber engages a legal practitioner to defend himself in an inquiry in respect of any alleged official misconduct on his part;
- (vi) to pay for the purchase of wheat by the Group 'D' employees for their own consumption. In case where more than one member of the same family are Group 'D' employees, the withdrawal will be admissible to only one such member. The withdrawal shall not be permissible after 30th June and shall be recoverable in equal monthly instalments within a period of one year from the date of withdrawal.

Note.—In cases falling under item (i) above, advances may be granted by the sanctioning authority to pay debts incurred: provided an application is made within a reasonable time after the event to which it relates. What is a reasonable time will be determined on the merits of each case. Advances to pay debts incurred in cases falling under items (ii) and (iii) require the sanction of Government.

(b) The sanctioning authority shall record in writing its reasons for granting the advance:

Provided that if the reason is of a confidential nature, it may be communicated to the Accounts Maintenance Authority personally and/or confidentially.

(c) No advance shall be granted unless—

- (i) the competent authority fully satisfies itself about the genuineness of the request for which advance is applied for;
- (ii) the earlier advances are fully repaid; and

- (iii) the advance to be sanctioned for the purposes of sub-clause (iv) or sub-clause (v) of clause (a), shall not exceed three months' pay or half the amount at the credit of the subscriber in his Fund Account, whichever is less.

(1-A) A temporary advance upto one month's pay for any genuine purpose, other than those mentioned in sub-rule (1), may be granted to a subscriber from the amount to his credit in Fund Account which shall be recovered in twelve equal monthly instalments.

(2) In fixing the amount of an advance, the instructions given in Annexures A and D to this Chapter should be carefully observed by the authorities competent to sanction the advances.

Note 2.—The authorities competent to grant advances under this rule and the conditions under which they can grant such advances are given in Annexure-B to this Chapter.

Note 3.—For advances for meeting cost of higher technical, medical and scientific studies of the Children of Government employees, in respect of degree courses and above, in addition to the amount admissible from the General Provident Funds, see rule 10.25(m) of P.F.R. Vol. I.

(3) The competent authority may in special circumstances sanction the payment to any subscriber of an advance if it is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).

(4) When an advance is sanctioned under sub-clause (c), before repayment of last installment of any previous advance is completed, the balance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

13.15. (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months pay of the subscriber under rule 13.14(1)(c), the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, repay more than one instalments in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in rule 13.12 for the realisation of subscription and shall commence with the issue of pay for the month following one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent, while he is on leave for ten days or more in a calendar

month or in receipt of subsistence grant and may be postponed, on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

Note 1.—The expression "advance of pay" includes any ordinary advance of pay granted under the relevant rules, but does not include advances for the building or repair of a house, for the purchase of a conveyance or for the payment of passages overseas which are of a different nature.

Note 2.—Vacation combined with leave shall be treated as leave for the purpose of repayment of an advance.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole of balance of the amount withdrawn, shall, forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Accounts Maintenance Authority to be recovered by deduction from the emoluments of the subscriber in monthly instalments not exceeding twelve as may be directed by one of the authorities specified in Annexure B to this Chapter.

Provided that, before such advance is disallowed the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment shall not be enforced and if an explanation is submitted by the subscriber within the said period of fifteen days, it shall be considered by the sanctioning authority for decision; and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in this sub-rule.

(4) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund.

PAYMENTS TOWARDS INSURANCE POLICIES

13.16 to 13.27-A. Omitted.

FINAL WITHDRAWAL OF ACCUMULATIONS IN THE FUND

13.28. When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him:

Provided that a subscriber, who has been dismissed, removed or retired pre-maturely or compulsorily from the service and is, subsequently, reinstated in the service, shall, if required, to do so by Government, repay any amount paid to him from the Fund in pursuance of this Rule, with interest thereon at the rate provided in Rule 13.13, in the manner provided in the proviso to Rule 13.29.

The amount so repaid shall be credited to his account in the Fund.

Note.—A subscriber re-employed in Government service after retirement is considered to have quitted service from the date of retirement even though his re-employment may have been in continuation of his active service without break. He cannot, therefore, get interest on his accumulation in his Fund beyond six months from the date of retirement.

Explanation I. Omitted.

Explanation II.—A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed with or without a break in service shall not be deemed to quit the service, when he is transferred without any break in service to a new post under any other Government or in another department of the State Government (in which he is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such a case, his subscription together with interest thereon shall be transferred:—

- (a) to his account in the other Fund in accordance with the rules of the Fund, if the new post is in another Department of the State Government; or
- (b) to a new account under the Government concerned if the new post is under any other Government and that Government consents, by general or special order, to such transfer of subscriptions and interest.

Note.—Transfers should be held to include cases of resignation from service in order to take up appointment in another Department of the State Government or under any other Government in India, without any break and with proper permission of the State Government. In cases where there has been a nominal break it should strictly be limited to the joining time allowed on transfer to a different station. The same shall hold good in cases of retrenchment followed by immediate employment whether under the same or different Government.

Explanation III.—When a subscriber is transferred without any break, to the service under a body corporate, owned or controlled by Government the amount of subscription together with interest thereon, shall not be paid to him but shall be transferred, with the consent of that body, to his new Provident Fund Account under that body.

Transfers shall include cases of resignation from service in order to take up appointment under the body corporate, owned or controlled by Government without any break and with proper permission of the Government. The time taken to join the new post shall not be treated as a break in service, if it does not exceed the joining time admissible to a Government employee on transfer from one post to another.

Note 1.—In cases where the corporate bodies do not have any provident fund scheme or whose provident fund rules do not provide for the acceptance of balances from other provident funds, the amount in question should be finally paid to the subscriber concerned at the time of his permanent transfer to such a body.

Note 2.—In cases where the Provident Fund money is accepted by the corporate body subject to fulfillment of certain conditions, viz., that the Government employee should complete the probationary period with them or that he should be confirmed in a post under them, the Provident Fund money of the persons concerned may be retained with Government till such time as it is transferred to the body concerned. In such cases the Provident Fund Accounts of the individual concerned would cease to be alive on the date of permanent transfer of the persons concerned to such a body. In other words, no withdrawals from the Provident Fund will be permitted for any purpose including payment of premia towards life insurance policies. Fresh subscription to the fund, except recoveries in respect of outstanding advances shall not be accepted. The Provident fund money held by Government would continue to earn interest at the normal rate till the date of transfer of the amount to the corporate body.

13.28-A. Deposit Linked Insurance Scheme.— (1) Subject to the provisions of sub-rule (2), on the death of a subscriber in service, the person or persons entitled to receive the amount standing to the credit of the deceased subscriber in the Fund shall also be entitled to an additional amount equal to the average amount standing to the credit of the deceased subscriber in the Fund during a period of thirty-six months immediately preceding the date of his death subject to a maximum of ten thousand rupees.

(2) The additional amount referred to in sub-rule (1) shall be sanctioned subject to the fulfilment of the following conditions:—

(i) The amount standing to the credit of the subscriber in the Fund should not have fallen below the following limits at any time during the period of thirty-six months immediately preceding the date of death of the subscriber:—

In the case of Group 'A' employees	Four thousand rupees.
In the case of Group 'B' employees	Two thousand and five hundred rupees.
In the case of Group 'C' employees	One thousand and five hundred rupees.
In the case of Group 'D' employees	One thousand rupees:

Provided that in case where the subscriber held post (s) borne on the different groups during the thirty-six months immediately preceding the date of his death, the appropriate minimum qualifying balance in the case of such a deceased subscriber shall be the one relating to the group in which he held the post for the greater part of the said period of thirty-six months.

(ii) the subscriber should have put in at least five years regular Government service at the time of his death.

(3) The Head of Department or Head of Office, who maintains the General Provident Fund account, shall authorise the payment of the additional amount referred to in this rule without any further sanction and the payment so authorised shall be accounted for under the head "2235—Social Security and Welfare—60—Other Social

[Chap. XIII] THE PUNJAB GENERAL PROVIDENT FUND RULES [13.28-A-13.29]

Security and Welfare Programme-104-Deposit Linked Insurance Scheme Government P.F.-01-Deposit Linked Insurance Scheme”

Explanation.- (i) The period of thirty-six months for calculation of benefit under the scheme may be computed from the month preceding the month in which the death of the subscriber occurs.

(ii) The interest credited to the amount of the subscriber should be taken into account to check that the minimum prescribed balance has been maintained.

(iii) The average balance for the purpose of additional amount under sub-rule (1) should also include the amount of interest up to the end of the month preceding the month in which death of the subscriber occurs.

13.29. When a subscriber:-

- (a) has proceeded on leave preparatory to retirement or, if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, or
- (b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service, the amount standing to his credit in the Fund, shall, upon application made by him in that behalf to the Accounts Maintenance Authority, become payable to the subscriber :

Provided that the subscriber, if he returns to duty, shall, except where the Government decides otherwise, repay to the Fund, for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this Rule with interest thereon at the rate provided in Rule 13.13 in cash or securities or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the authority competent to grant an advance under clause (1) of Rule 13.14.

Note.-When vacation precedes the leave preparatory to retirement, the amount standing at the credit of a subscriber shall, upon application made to the Accounts Maintenance Authority becomes payable at any time between the commencement of such vacation and the date of actual retirement.

13.29-A. Omitted.

13.29-B. Omitted.

13.29-C. Omitted.

13.29-D.(1) A non-refundable advance may be granted to a subscriber at any time, after the completion of ten years service (including broken periods, if any) from the amount standing to his credit in the Fund at the discretion of the competent authority mentioned in Annexure E for one or more of the following purposes, namely:—

- (i) Building or acquiring a suitable house for his residence including the cost of the site or repaying any outstanding amount on account of loan, expressly taken for this purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date, or reconstructing or making addition or alteration to a house already owned or acquired by a subscriber.
- (ii) Purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date.
- (iii) For constructing a house on a site purchased utilising the sum withdrawn under sub-clause (ii) above.

(2) Only one advance shall be allowed for the construction of a house at any place.

(3) Any sum withdrawn by the subscriber with the sanction of the competent authority shall not exceed three-fourths of the credit balance in his Fund Account.

(4) Omitted.

(5) A subscriber who has been permitted to withdraw money from the Fund under this Rule shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was drawn, shall forthwith be repaid in one lump-sum by the subscriber to the Fund, and in default of such payment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump-sum or in such number of monthly instalments, as may be determined by the Finance Department:

Provided that, before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing within fifteen days of the receipt of the communication why the repayment shall not be enforced and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, the sanctioning authority shall enforce the repayment in the manner prescribed in this sub-rule.

13.29-E. (1) A non-refundable advance may be granted to a subscriber any time, after the completion of 20 years service (including broken periods, if any) or within 10 years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund at the discretion of the competent authority mentioned in Annexure 'E' to meet the cost of education of himself or of children actually dependent on him in the following types of cases:—

- (i) for education outside India beyond the High School stage whether for an academic, technical, professional or vocational course; and
- (ii) for medical, engineering and other technical, specialized or professional courses in India beyond the High School stage, provided that the course of study is not less than three years' duration.

(2) Any sum withdrawn by the subscriber with the sanction of the competent authority shall not exceed three-fourths of the credit balance in his Fund Account.

(3) The withdrawal will be permissible once every six months, i.e., twice in any financial year and the withdrawal will not ordinarily be allowed before the expiry of six months from the date of the previous withdrawal:

Provided that the subscribers concerned satisfy the sanctioning authority within a period of six months from the date of drawing the money that it has been utilised for the purpose for which it was intended; otherwise the whole amount of withdrawal will be liable to recovery in one lump-sum:

Provided further that in cases where a portion of the money withdrawn is not likely to be spent within six months of the date of withdrawal and the officer contemplates making a further withdrawal during the following half-year, he may, by notifying in writing to the sanctioning authority before the expiry of the said period of six months, adjust the excess amount in the proposed withdrawal, provided that such excess amount is not more than 10 per cent of the amount utilised and action to withdraw the further amount is taken within one month of the expiry of the six months period. If no further withdrawal is contemplated, the excess amount should be deposited forthwith in the provident fund.

(4) After the withdrawal has been made by the subscriber concerned, the sanctioning authority will satisfy itself within six months of withdrawal that the conditions mentioned above are fulfilled.

(5) While sanctioning non-refundable advances by the competent authority, the temporary advances outstanding against the subscriber, if any, will not be taken into account.

Note 1.—The courses detailed below should be treated as technical in nature provided

that the course of study is of not less than 3 years duration and is beyond High School stage in India or outside India:—

- (a) Diploma courses in the various fields of Engineering and Technology, e.g., Civil Engineering, Mechanical Engineering, Electrical Engineering, Tele-communication/ Radio Engineering, Metallurgy, Automobile Engineering, Textile Technology, Leather Technology, Printing Technology, Chemical Technology, etc., etc., conducted by recognised technical institutions.
- (b) Degree courses in the various fields of Engineering and Technology, e.g., Civil Engineering, Mechanical Engineering, Electrical Engineering, Tele-Electrical Communications Engineering and Electronics, Mining Engineering, Metallurgy, Aeronautical Engineering, Chemical Engineering, Chemical Technology, Textile Technology, Leather Technology, Pharmacy, Ceramics, etc., etc., conducted by Universities and recognised technical institutions.
- (c) Post-Graduate courses in the various fields of Engineering and Technology conducted by the Universities and recognised institutions.
- (d) Degree and Diploma courses in Architecture, Town Planning and allied fields conducted by recognised institutions.
- (e) Diploma and Certificate courses in Commerce conducted by recognised institutions.
- (f) Diploma courses in Management conducted by recognised institutions.
- (g) Degree courses in Agriculture, Veterinary Science and allied subjects conducted by recognised Universities and institutions.
- (h) Courses conducted by Junior Technical Schools.
- (i) Courses conducted by Industrial Training Institutes under the Ministry of Labour and Employment (D.G.E. &T.).
- (j) Degree and Diploma courses in Art/Applied Art and allied subjects conducted by recognised institutions.
- (k) Draftsmanship courses by recognised institutions.
- (l) Medical courses.
- (m) All M.Sc. (Hons. School) courses of Punjab University.
- (n) B.Sc. (Home Science) course of three years duration.

Note 2.—The following courses, irrespective of their duration, shall also be treated as technical/specialised for purpose of allowing advances/final withdrawals:—

- (i) Degree and Post-Graduate courses in Home Science.
- (ii) Pro-Professional course in Medicine if part of regular 5 years course in Medicine.
- (iii) Ph.D. in Biochemistry.

[Chap. XIII] THE PUNJAB GENERAL PROVIDENT FUND RULES [13.29-E-13.29-F]

- (iv) Bachelor and Masters Degree courses in Physical Education.
- (v) Honours course in Microbiology.
- (vi) Associateship of the Institute of Chartered Accountants.
- (vii) Associateship of the Institute of Costs and Works Accountants.
- (viii) Degree and Masters courses in Business Administration or Management.
- (ix) Diploma course in Hotel Management.
- (x) M.Sc. course in Statistics.
- (xi) The payment of initial charges for admission to the National Defence Academy, Khadakvasala, will also qualify for advances for final withdrawal.
- (xii) The Company Secretaryship Course of the Institute of Company Secretaries of India.
- (xiii) The pre-sea training courses conducted by recognised institutions for prospective navigation officers on merchant ships.

13.29-F. A non-refundable advance may be granted to a subscriber any time, after the completion of 20 years' service (including broken periods, if any) or within 10 years before the date of his retirement on superannuation whichever is earlier, from the amount standing to his credit in the Fund, at the discretion of the competent authority mentioned in Annexure 'E' to meet the expenses in connection with each marriage of the subscriber's daughters and if the subscriber has no daughter, for any female relation dependent on him, on the following conditions:—

(1) Any sum withdrawn by the subscriber with the sanction of the competent authority shall not exceed three-fourths of the credit balance in his Fund Account.

Note 1. Omitted.

Note 2.—If two or more marriages are to be celebrated simultaneously the amount admissible in respect of each marriage will be determined as if the advances are sanctioned separately one after the other.

(2) In respect of the same marriage, a subscriber may either withdraw the money in terms of this Rule or draw an advance under the ordinary Rules.

(3) A subscriber who draws a refundable advance under the ordinary rules, may convert at his discretion by written request addressed to the Accounts Maintenance Authority, the balance outstanding against him into a final withdrawal on his satisfying the conditions laid down in this rule.

(4) The withdrawal may be allowed to the subscriber not earlier than three months preceding the month in which the marriage actually takes place.

(5) The subscriber shall furnish a certificate to the sanctioning authority mentioned in Annexure 'E' within a period of one month from the date of marriage, or if he is on leave, within one month on return from leave, that the money withdrawn has actually been utilised for a purpose for which it was intended. If the subscriber fails to furnish the requisite certificate or if the amount withdrawn is utilised for a purpose other than that for which sanction was accorded, the entire amount together with interest thereon at the rate provided in Rule 13.13 from the month of withdrawal, shall be re-deposited into the Fund in a lump-sum.

(6) Any amount actually withdrawn from the fund, which is found in excess of that actually utilised by the subscriber for the purpose, shall be re-deposited forthwith into the Fund, together with interest due thereon at the rate provided in Rule 13.13 from the month of such withdrawal.

(7) Omitted.

(8) In sanctioning non-refundable advances under these Rules, the temporary advances outstanding against the subscriber, if any, will not be taken into account.

Note.—Marriage is a foreseeable event and ordinarily it should not be difficult for the Government employee concerned to make up his mind beforehand whether he would be able to meet the entire expenditure thereon from his private resources or whether he would have to resort to a final withdrawal from his provident fund account for the purposes mentioned above. In the latter case, the subscriber has to apply for final withdrawal sufficiently in advance of the date of marriage. Where, however, an officer applies for the withdrawal well before the date of the marriage, but the application is sanctioned after the aforesaid date, there will be no objection to the payment of the amount being made after the date of marriage. The certificate in terms of clause (5) of this Rule should be furnished in such cases to the sanctioning authority within a month of the actual withdrawal of the amount from the Fund. Cases in which the withdrawal is applied for after the marriage is over should not ordinarily be entertained.

13.29-G. A non-refundable advance may be granted to a subscriber any time, after the completion of 20 years' service (including broken periods, if any) or within 10 years before the date of his retirement on superannuation whichever is earlier from the amount standing to his credit in the Fund at the discretion of the competent authority mentioned in Annexure 'E' to meet the expenses in connection with each marriage of the subscriber's sons, on the following conditions:—

(1) Any sum withdrawn by the subscriber shall not exceed three-fourths of the credit balance in his Fund Account.

(2) The other conditions will be the same as those laid down in rule 13.29F.

Note.—It is not necessary that the daughter or the son should be actually dependent on the subscriber for the purpose of final withdrawal from the Fund.

13.29-H. (1) A non-refundable advance may be granted to a subscriber any time, after the completion of 12 years of service, from the amount standing to his credit in the Fund, at the discretion of the competent authority mentioned in Annexure-E for purchasing a motor car or for repaying a loan already taken by him for the purpose, subject to the following conditions, namely:—

- (i) the amount of withdrawal shall be limited to Rs. 3,50,000 or seventy-five per cent of the actual price of a new car or three-fourth of the amount standing to the credit of the subscriber in General Provident Fund, whichever is the least; and
- (ii) for purchasing a second hand car, the amount of withdrawal shall be limited to Rs. 3,50,000 or seventy-five per cent of the depreciated value of the car or three-fourth of the amount standing to the credit of the subscriber in General Provident Fund, whichever is the least.

Note.— withdrawal under this rule shall be allowed only on one occasion.

(2) A non-refundable advance may be granted to a subscriber any time, after the completion of 5 years of service, from the amount standing to his credit in the Fund, at the discretion of the competent authority mentioned in Annexure-E for purchasing a personal computer/laptop subject to the condition that the amount of withdrawal shall be limited to Rs. 60,000 or the actual price of the computer/laptop or one-half of the amount standing to the credit of the subscriber in General Provident Fund, whichever is the least.

13.29-I. A non-refundable advance may be granted to a subscriber any time after the completion of 20 years' service (including broken periods, if any) or within 10 years before the date of his retirement on superannuation whichever is earlier, from the amount standing to his credit in the Fund at the discretion of the competent authority mentioned in Annexure 'E' to meet the expenses in connection with each betrothal of subscriber's sons and daughters and if the subscriber has no son or daughter, for any other male or female relation actually dependent on him, on the following conditions:—

(1) The amount of withdrawal in respect of each betrothal will normally be limited to:—

- (a) three months' pay of the subscriber; or
- (b) 20% of the amount standing to the credit of the subscriber; whichever is less.

(2) The other conditions will be the same as those laid down in rule 13.29-F.

13.29-II. Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the General Provident Fund Account with reference to the latest available statement of General Provident Fund Account together with the evidence of subsequent contribution to that Fund, the competent authority may under rules 13.29-D, 13.29-E, 13.29-F, 13.29-G, 13.29-H, 13.29-I, 13.29-J and 13.29-K, sanction withdrawal from the said Fund within the prescribed limits, as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subscriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for, a reference may be made to the Accounts Maintenance Authority by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and the Accounts Maintenance Authority maintaining the accounts and a copy of sanction for withdrawal should invariably be endorsed to that Accounts Maintenance Authority. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the Accounts Maintenance Authority that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accounts Maintenance Authority reports that the withdrawal as sanctioned is in excess of the amount standing to the credit of the subscriber or is otherwise inadmissible, the sum withdrawn by the subscriber shall forthwith be repaid in one lump-sum together with interest thereon and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump-sum or in such number of monthly instalments as may be determined by the Government.

Note.—The following certificate shall be recorded on all sanctions issued for withdrawal:—

“Sh./Shrimati _____ was last sanctioned a part final withdrawal by this office for an amount of Rs. _____, vide _____”. or

“Sh./Shrimati _____ is understood (as stated by him/her) to have been last sanctioned a part final withdrawal of Rs. _____ by _____.”

Sanctioning Authority

“(The alternate certificate mentioned above is to be recorded in the sanction of those subscribers in whose case the particulars of last sanction for part-final withdrawal, are not available with office for reasons such as transfer of an employee from another office, etc., etc.).”

13.29-J. (i) A non-refundable advance may be granted by the Accounts Maintenance Authority to a subscriber at any time after the completion of five years of service, from the General Provident Fund for purchasing a Motor-Cycle or Scooter or Moped or for repaying a loan already taken by him for the said purpose subject to the following conditions:-

- (a) The amount of withdrawal is limited to Rs. 45,000 in the case of Motor-Cycle/Scooter and Rs. 25,000 in the case of Moped or one-half of the amount standing to the credit of the subscriber in the Fund or actual cost of the vehicle, whichever is the least.
- (b) Omitted.
- (c) A second advance for this purpose shall not be granted until at least 8 years have passed since the grant of the first advance.

(ii) A non-refundable advance may be granted by the competent authority to a subscriber from the General Provident Fund for the purchase of a bicycle subject to the following conditions:-

- (a) The subscriber has not less than five years of service at his credit.
- (b) The amount of withdrawal is limited to Rs. 3,500 or one-half of the balance in the Fund or the actual price of the bicycle, whichever is the least.
- (c) A second advance for this purpose shall not be granted until at least 8 years have passed since the grant of the first advance.

(iii) Once during the course of a financial year, a non-refundable advance of an amount equivalent to one year's subscription paid for by the subscriber towards the General Insurance Scheme for the Punjab Government Employees on self financing and contributory basis may be granted by the Head of Office to a subscriber from the General Provident Fund.

- (iv) Omitted.

13.29-K. A non-refundable advance not exceeding ninety per cent of the amount at the credit of the subscriber in the Fund may be granted by the competent authority mentioned in Annexure-E at any time during the final year of retirement of the subscriber to enable the subscriber to make a plan for proper utilization of the savings in his Fund Account subject to the condition that such advance must be applied for at least six months before the date of retirement of the subscriber.

13.29-L. When a subscriber is dismissed, removed or retired prematurely or compulsorily from the service of Government but has appealed against such dismissal, removal, premature or compulsory retirement, he may be sanctioned non-refundable

advances like other subscribers provided that no advance shall be sanctioned to a subscriber who has attained an age at which he would have retired on superannuation had he not been dismissed, removed or retired prematurely or compulsorily from the service of Government.

13.30. On the death of a subscriber before the amount standing to his credit has become payable (see Annexure 'E' to this Chapter), or where the amount has become payable, before payment has been made;

- (i) When the subscriber leaves a family—
 - (a) if a nomination made by the subscriber in accordance with the provisions of Rule 13.7 or the corresponding rule heretofore in force, in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;
 - (b) if no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal share:

Provided that no share shall be payable to—

- (1) sons who have attained legal majority;
- (2) sons of a deceased son, who have attained legal majority;
- (3) married daughters whose husbands are alive;
- (4) married daughters of a deceased son whose husbands are alive;

if there is any member of the family other than those specified in clauses (1), (2), (3) and (4):

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso;

- (ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of Rule 13.7 or of the corresponding Rule heretofore in force, in favour of any person or persons subsists, the amount

standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

Note 1.—A posthumous child of the deceased or the posthumous child of a son of the deceased who, had he been alive would have been entitled to a share of the sum at the subscriber's credit shall be treated as a member of the family provided the existence (*en ventre da sa mere*) of the posthumous child is brought to the notice of the disbursing officer.

Note 2.—When a person named in a form of nomination under Rule 13.7, dies before the subscriber, the nomination shall in the absence of a direction to the contrary in the form of nomination, become null and void in respect of that person only and his or her share shall be distributed in the manner prescribed in sub-clause (b) of clause (i) above.

13.31. (1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Maintenance Authority to make payment, as provided in section 4 of the Provident Fund Act, 1925 (See Appendix IV).

(2) If the person to whom under these rules, any amount is to be paid, is a lunatic, for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment will be made to such manager, and not to the lunatic :

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment under the orders of the Collector be made in terms of sub-section (1) section 95 of the Indian Lunacy Act, 1912, to the person having charge of such lunatic and the Accounts Maintenance Authority shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

(3) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Accounts Maintenance Authority. Payment of amounts withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

Note 1.—When the amount standing to the credit of a subscriber has become payable under Rules 13.28, 13.29 or 13.30 the Accounts Maintenance Authority shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

Note 2.—When the amount standing to the credit of a subscriber has become payable under Rules 13.28, 13.29 and 13.30 the Head of Department/Office should immediately take up the preparation of G.P. Fund papers for furnishing them to the Audit Office. In the case of the subscribers who are likely to retire in a particular year, their papers should be prepared and furnished in the requisite forms in time (i.e. 6 months in advance of the anticipated date of retirement). The Head of Department/Office should see to it that these forms are furnished to the Audit in time.

13.32. (a) If a Government employee who is a subscriber to any other Government Provident Fund, which is a non-contributory provident fund, is permanently transferred to pensionable service under the Punjab Government, the amount of the subscriptions, together with interest thereon, standing to his credit in such other Fund at the date of transfer shall, with the consent of the other Government concerned, if any, be transferred to his credit in the Fund.

(b) If a Government employee who is a subscriber to the State Railway Provident Fund or any other Contributory Provident Fund of the Central Government, or a State Contributory Provident Fund is permanently transferred to pensionable service under the Punjab Government and elects or is required to earn pension in respect of such pensionable service:—

- (i) the amount of subscriptions, with interest thereon, standing to his credit in such contributory provident fund at the date of transfer shall, with the consent of the other Government, if any, be transferred to his credit in the Fund;
- (ii) the amount of Government contribution with interest thereon standing to his credit in such contributory provident fund shall with the consent of the other Government, if any, be repaid to Government and credited to State revenues; and
- (iii) he shall in exchange be entitled to count towards pension such part of the period during which he subscribed to such contributory provident fund as the competent authority may determine.

(c) If a Government employee who is a subscriber to any other Non-Contributory Provident Fund of the State Government, is permanently transferred to pensionable service in a Department of the State Government in which he is governed by these rules, the amount of subscription together with interest thereon standing to his credit in such other Fund on the date of transfer shall be transferred to his credit in the Fund.

Note 1.—The provisions of this rule do not apply to a subscriber who has retired from service and is subsequently re-employed with or without a break in service, or to a subscriber

who was holding the former appointment on contract.

Note 2.—The provision of this rule shall, however, apply to persons who are appointed without break, whether temporarily or permanently to a post carrying the benefits of these rules after resignation/retrenchment from service under another Department of State Government or under any other Government.

13.33. Omitted.

PROCEDURE RULES

13.34. All sums paid into the Fund under these rules shall be credited in the books of Government to an account named "The General Provident Fund". Sums of which payment has not been taken within six months after they became payable under these rules, shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

13.35. When paying a subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund which shall be communicated to him by the Accounts Maintenance Authority. Any change in the number shall similarly be communicated to the subscriber by the Accounts Maintenance Authority.

13.36. (1) As soon as possible after the close of each year, the Accounts Maintenance Authority shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Accounts Maintenance Authority shall attach to the statement of account an enquiry whether the subscriber.—

- (a) desires to make any alteration in any nomination made under Rule 13.7 or under the corresponding rule heretofore in force ;
- (b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to clause (1) of Rule 13.7.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Accounts Maintenance Authority within three months from the date of receipt of the statement.

(3) The Accounts Maintenance Authority shall, if required by a subscriber, once but not more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

13.37. Subject to the provisions of rules in this chapter, a competent authority may specify detailed procedure for maintenance of General Provident Fund Accounts of the Government employees. Till such procedure is specified, the General Provident Fund Scheme issued by the Government on the 2nd day of May, 1989, as amended from time to time, shall continue to apply.

ANNEXURE A

(See Note 1 under Rule 13.14).

General Principles which should determine the grant of an advance from the
General Provident Fund

1. The fund is designed solely for the protection of a subscriber's family against his sudden death, or, if he survives until retirement, to provide both him and them with additional resources in his old age. Anything which interferes with a subscriber's normal accumulations detracts from these purposes and tends to defeat the true object of the Fund. Rule 13.14, merely permits a temporary and wholly exceptional departure from the real purposes of the scheme, and unless it is strictly interpreted, there is danger that subscribers will come to regard the Fund as an ordinary banking account, the existence of which absolves them from the necessity of providing for the normal incidents of life with the prudence which a private individual would exercise. The inevitable result, if this tendency is countenanced, will be to discourage thrift, and to leave the subscriber with a depleted account at the time when it ought to be most helpful to him or his family. Sanctioning authorities ought, therefore, to have no hesitation in resisting any attempt to use the Fund as a cheap loan account and in enforcing the altogether exceptional character of Rule 13.14, as a provision to meet urgent needs which would not ordinarily have been anticipated. Every prudent married man, for example, should be prepared to meet certain demands upon his resources on account of doctor's bills, and it is only when the burden is exceptionally prolonged, or the necessity usually grave and sudden, that he ought to think of making use of the Provident Fund for this object.

2. For the same reasons, a careful scrutiny should be applied to requests for withdrawals on account of marriage or funeral expenses. Even where ceremonial expenditure is by religious custom obligatory, its extent should nevertheless be limited by the resources of the family, and no subscriber should be enabled to enhance such expenditure on the strength of deposits in the Fund. An advance from the Fund can legitimately be made for obligatory ceremonial expenditure where no other resources exist but not in order to raise such expenditure to a more pretentious scale.

3. The intention of these instructions is not to limit the powers of the authorities competent to sanction withdrawals from the Fund in cases of absolute necessity, but the observance of the principles enunciated above is in the real interest of the body of subscribers to the Fund.

4. With reference to the provisions of the Provident Fund Act, 1925 there is no real difference regarding the validity of temporary advances between:—

- (a) a non-repayable advance ; and
- (b) an outright repayment of an amount equivalent to the advance.

The grant of a non-repayable advance amounts to an outright repayment of a part of the "compulsory deposit". Under section 2(a) of the Provident Fund Act, "Compulsory Deposit" is one, the whole of which is repayable on the happening of some specified contingency under the rules of the Provident Fund. A partial repayment of a deposit in the Provident Fund thus deprives the deposits of the character of "Compulsory Deposits" as defined in section 2 of the Provident Fund Act, and, therefore, the immunity provided under section 3(1) *ibid* will be lost. In other words, the Provident Funds in question will cease to be a provident fund subject to the provisions of the Provident Fund Act.

All sanctioning authorities, therefore, should, while sanctioning temporary advances from General Provident Fund take into consideration the date of retirement of subscriber and fix the number of instalments in such a manner that it is possible to recover the entire amount of the advance, with interest accruing thereon before his actual retirement.

ANNEXURE-B

[See Note 2 below Rule 13.14].

List of authorities competent to sanction temporary advances under the Punjab General Provident Fund Rules.

Serial No.	Power	To whom delegated	Extent
1	2	3	4
1.	To grant temporary advance to the Government employees other than Group 'D' employees from their General Provident Fund.	Heads of Departments.	Full powers subject to the conditions laid down in rule 13.14 provided that the amount of the advance does not exceed two-thirds of the amount at the credit of the subscriber in the Fund.
		Accounts Maintenance Authority.	Full powers subject to the conditions laid down in rule 13.14 and in Annexure-D to this Chapter provided that the amount of the advance does not exceed half of the amount at the credit of the subscriber in the Fund.
2.	To sanction refundable advances to Group 'D' employees from their General Provident Fund.	Heads of Offices/ Accounts Maintenance Authority.	Full powers subject to the conditions laid down in Rule 13.14 and in Annexure-D to this Chapter provided that the amount of the advance does not exceed two-thirds of the amount at the credit of the subscriber in the Fund.

Note.—In those cases where Accounts Maintenance Authority is lower than the District Head of the Office, the powers of the Head of the Department mentioned above may also be exercised by that District Head of the Office, if so authorised by the Head of the Department, through a general or special order. A copy of such order shall invariably be sent to the Department of Finance and the Accountant General, Punjab.

ANNEXURE C

(See rule 13.30)

1. Any sum payable under Rule 13.30 to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Fund Act, 1925.

2. When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Fund Act, 1925, the amount vests in such nominee under sub-section (2) of section 3 of the Act.

3. When the subscriber leaves no family and no nomination made by him in accordance with the provisions of Rule 13.7 subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section (4) of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

ANNEXURE 'D'

(See Note 1 under Rule 13.14)

The expression "earlier advances" appearing in sub-clause (ii) of clause (c) of Rule 13.14 (1) should be taken as referring to the first advance that may be granted up to two-third of the amount at the credit of the subscriber in his Fund Account. Thus if a subscriber who had already been granted an advance up to two-third of the amount admissible and who applies for a second advance, the authority which sanctioned the first advance, is competent to sanction the second advance if the earlier advance is fully repaid. However, if the subscriber applies for the second advance while the earlier advance is still current, in such a case it would be necessary for the sanctioning authority to seek the sanction of the next higher administrative authority to the grant of second advance.

ANNEXURE-E

[See Rules 13.29-D, 13.29-E, 13.29-F, 13.29-G, 13.29-H, 13.29-I, 13.29-J and 13.29-K]

List of authorities competent to sanction final withdrawals under the Punjab Provident Fund Rules

Serial No.	Power	To whom delegated	Extent
1	2	3	4
1.	To grant non-refundable advances to Government employees other than Group 'D' employees from their General Provident Fund.	Heads of Departments.	Full powers subject to the conditions laid down in the rules and provided further that the amount of advance does not exceed three-fourths of the amount at the credit of the subscriber in the Fund.
		Accounts Maintenance Authority	Full powers subject to the conditions laid down in the rules and provided further that the amount of advance does not exceed half the amount at the credit of subscriber in the Fund.
2.	To grant non-refundable advances to Group 'D' employees from their General Provident Fund.	Heads of Offices/ Accounts Maintenance Authority	Full powers subject to the conditions laid down in the rules and provided further that the amount of advance does not exceed three-fourths of the amount at the credit of the subscriber in the Fund.
3.	To make final payment of the balance at the credit of a Government employee in his General Provident Fund Account.	Heads of Departments	Full Powers subject to the conditions laid down in the rules.
		Heads of Offices/ Accounts Maintenance Authority	Full powers in the case of Group 'D' Government employees subject to the conditions laid down in the rules.

1	2	3	4
4.	To sanction ninety percent non-refundable advance under rule 13.29-K.	Heads of Departments	Full powers subject to the conditions laid down in the rules.
		Heads of Offices/ Accounts Maintenance Authority.	Full powers in the case of Group 'D' Government employees subject to the conditions laid down in the rules.

Note.—In those cases where Accounts Maintenance Authority is lower than the District Head of the Office, the powers of the Head of the Department mentioned above may be exercised by that District Head of the Office, if so authorised by the Head of the Department, through a general or special order. A copy of such order shall invariably be sent to the Department of Finance and the Accountant General, Punjab.

CHAPTER-XIV

PUNJAB CONTRIBUTORY PROVIDENT FUND RULES

(Omitted)

PART III–GROUP INSURANCE SCHEME

TABLE OF CONTENTS

Chapter XV	Punjab Group Insurance Scheme Rules	Rule
	Definitions	15.1
	Application of Punjab Government Employee Group Insurance Scheme	15.2
	Interpretation	15.3
	Repeal and Savings	15.4
Appendix VII	Punjab Government Group Insurance Scheme, 1982	Paras 1-22
Appendix VIII	Accounting Procedure	Paras (I)-(XVIII)

CHAPTER XV

PUNJAB GROUP INSURANCE SCHEME RULES

15.1. **Definitions.**—In this Chapter unless the context otherwise requires;

- (a) 'Family' shall have the meaning assigned to it in the Punjab Civil Services Rules, Volume I, Part I.
- (b) 'Group Insurance Scheme' means the Punjab Government employees Group Insurance Scheme, 1982 as set out in Appendix VII;
- (c) 'Insurance Fund' means the Insurance Fund under the Group Insurance Scheme;
- (d) 'member of the service' means a Punjab Government employee but does not include:—
 - (i) a member of the All India Service;
 - (ii) any person on causal employment;
 - (iii) any person discharged from service on less than one month notice;
 - (iv) any person for whom special provision is made in respect of matters covered by these rules by or under any law for the time being in force or by or under any agreement entered into by or with the previous approval of the Governor before or after the commencement of the Punjab Civil Services (Amendment Rules, Volume-II, 1987) in regard to matters covered by such special provisions;
 - (v) any employee of Government of India or any other State Government, Public Sector Undertaking or Autonomous Organisation on deputation with the Government of Punjab;
 - (vi) any person recruited under Punjab Government after attaining the age of fifty years.
- (e) 'member of the Scheme' means a member of the Service enrolled as a member of the Group Insurance Scheme; and
- (f) 'Saving Fund' means the Saving Fund under the Group Insurance Scheme.

15.2. Application of Punjab Government Employee Group Insurance Scheme.—A member of the Service shall subscribe to the Group Insurance Scheme and shall be eligible to the benefits of the Scheme:

Provided that a member of the Service who was appointed to the Service before the commencement of the Punjab Civil Services (2nd Amendment) Rules, 1987,

Volume-II may exercise option not to be governed by the Group Insurance Scheme:

Provided further that a member of the Service appointed to the All India Services in terms of sub-rule (1) or sub-rule (2) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954 or under sub-rule (1) of rule 9 of the Indian Police Service (Recruitment) Rules, 1954 or under sub-rule (1) of the rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, except where he has already opted or deemed to have opted for the Central Government Employees Group Insurance Scheme, 1980 shall be required,—

(i) Where he is appointed as such on or after the 2nd day of October, 1982, but before the issue of the Punjab Civil Services (Amendment) Rules, Volume II, 1988, within four months from the date of issue of the Punjab Civil Services (Amendment) Rules, Volume II, 1988; and

(ii) Where he is appointed as such after the date of issue of the Punjab Civil Services (Amendment) Rules, Volume II, 1988, within four months from the date of such appointment, to elect either to continue to subscribe to the State Group Insurance Scheme, 1982 or to subscribe to the Central Government Employees Group Insurance Scheme, 1980 and in the absence of such option shall cease to subscribe to the State Group Insurance Scheme, 1982 and shall be deemed to have opted for the Central Government Employees Group Insurance Scheme, 1980.

Explanation: The Expression the "Central Government Employees Group Insurance Scheme, 1980" used in the aforesaid proviso shall have the meaning assigned to it in the All India Services (Group Insurance) Rules, 1981.

15.3. Interpretation.—If any question arises as to the interpretation of these rules, the Punjab Government in the Department of Finance shall decide the same.

15.4. Repeal and Savings.—(1) The Punjab Civil Services (Group Insurance) Rules, 1982, published with Government of Punjab, Department of Finance, Notification No. 7(10)-OSD(F)-82/6494, dated 15th August, 1982, are hereby repealed.

(2) Notwithstanding such repeal any action taken or any order issued shall be deemed to have been taken or issued under the corresponding provisions of these rules.

APPENDICES

Index

Appendix No.	Rule in which referred	Page	Subject
1.	Omitted.		(Family Pension Scheme, 1964) Omitted.
2.	Omitted.		(New Pension Rules, 1951). Omitted.
3.	Not Printed.		General Provident Fund Rules in force prior to 1 st September, 1936. (Not Printed)
4.	Rules 13.2(2) and 13.31(1)	161-166	Provident Fund Act No. XIX of 1925.
5.	Omitted.		(Table showing ready calculations of the minimum and the maximum limits of subscriptions to the Punjab General Provident Fund). Omitted.
VI.		168-171	Memorandum explanatory of Government Provident Fund Rules vis-à-vis the law on the subject.
VII	15.1(b)	172-180	Punjab Government Group Insurance Scheme, 1982.
VIII	Paras 12 and 20 of Appendix VII	180-186	Accounting Procedure of Punjab Government Group Insurance Scheme, 1982.

APPENDIX 1

Family Pension Scheme 1964

Omitted.

APPENDIX 2

New Pension Rules, 1951

Omitted.

APPENDIX 3

Omitted.

APPENDIX 4

[Referred to in rules 13.2(2) and 13.31(1)]

The Provident Funds Act, 1925
(Act No. XIX of 1925)

(As amended by Act No. 28 of 1925, Nos. VII and XII of 1927, No.1 of 1930 and No.11 of 1946 and as adapted by the Adaptation of Laws Order, 1950).

An Act to amend and consolidate the law relating to Government and other Provident Funds.

WHEREAS it is expedient to amend and consolidate the law relating to Government and other Provident Funds; it is hereby enacted as follows:—

1. Short title, extent and commencement: (1) This Act may be called the Provident Funds Act, 1925.

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may by notification in the official gazette appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(a) "compulsory deposit" means a subscription to, or deposit in, a Provident Fund which, under the rules of the Fund; is not, until the happening of some specified contingency, repayable on demand otherwise than for the purpose of the payment of premia in respect of a policy of life insurance or the payment of subscriptions or premia in respect of a family pension fund and includes any contribution and any interest or increment which has accrued under the rules of the Fund on any such subscription, deposit or contribution and also any subscription, deposit or contribution, interest or increment remaining to the credit of the subscriber or depositor after the happening of any such contingency;

(b) "contribution" means any amount credited in a Provident Fund, by any authority administering the Fund, by way of addition to a subscription to, or deposit or balance at the credit of an individual account in the Fund, and "Contributory Provident Fund" means a Provident Fund the rules of which provide for the crediting of contributions;

(c) "dependent" means any of the following relatives of a deceased subscriber to, or a depositor in, a Provident Fund, namely, wife, husband, parent, child, minor brother, unmarried sister and a deceased son's widow and child, and where no parent of the subscriber or depositor is alive a paternal grand-parent;

- (d) "Government Provident Fund" means a Provident Fund, other than a Railway Provident Fund constituted by the authority of the Central Government, or any State Government for any class or classes of persons in the service of the Government or of persons employed in educational institutions or employed by bodies existing solely for educational purposes, and references in this Act to the Government should be construed accordingly;
- (e) "Provident Fund" means a fund in which subscriptions or deposits of any class or classes of employees are received and held in their individual accounts, and includes any contributions and any interest or increment accruing on such subscriptions, deposits or contributions under the rules of the Fund;
- (f) "Railway administration" means: –
- (i) any company administering a railway or tramway in any part of India either under a law or under contract with the Government; or
 - (ii) the manager of any railway or tramway administered by the Central Government or by a State Government, and includes, in any case referred to in sub-clause (ii), the Central Government or the State Government as the case may be;
- (g) "Railway Provident Fund" means a Provident Fund constituted by the authority of a Railway administration for any class or classes of its employees.

3. Protection of Compulsory Deposits.–(1) A compulsory deposit in any Government or Railway Provident Fund shall not, in any way, be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt or liability incurred by the subscriber or depositor, and neither the Official Assignee nor any Receiver appointed under the Provincial Insolvency Act, 1920 (5 of 1920), shall be entitled to or have any claim on, any such compulsory deposit.

(2) Any sum standing to the credit of any subscriber, to, or depositor in, any such Fund at the time of his decease and payable under the rules of the Fund to any dependent of the subscriber or depositor or to such person as may be authorised by law to receive payment on his behalf, shall, subject to any deduction authorised by this Act, and save where the dependent is the widow or child of the subscriber or depositor, subject also to the rights of an assignee under an assignment made before the commencement of this Act, vest in the dependent, and shall, subject as aforesaid, be free from any debt or other liability incurred by the deceased or incurred by the dependent before the death of the subscriber or depositor.

4. Provision regarding repayment.—(1) When under the rules of any Government or Railway Provident Fund the sum standing to the credit of any subscriber or depositor, or the balance thereof after making of any deduction authorised by this Act, has become payable, the officer whose duty it is to make the payment shall pay, the sum of balance, as the case may be, to the subscriber or depositor or if he is dead, shall –

- (a) if the sum or balance, or any part thereof, vests in a dependent under the provisions of section 3, pay the same to the dependent or to such person as may be authorised by law to receive payment on his behalf; or
- (b) if the whole sum or balance, as the case may be, does not exceed five thousand rupees, pay the same or any part thereof which is not payable under clause (a), to any person nominated to receive it under the rules of the Fund, or, if no person is so nominated to any person appearing to him to be otherwise entitled to receive it; or
- (c) in the case of any sum or balance, or any part thereof, which is not payable to any person under clause (a) or clause (b) pay the same—
 - (i) to any person nominated to receive it under the rules of the Fund on production by such person of probate or letters of administration evidencing the grant to him of administration to the estates of the deceased or a certificate granted under the Succession Certificate Act, 1889 (7 of 1889), or under the Bombay Regulation, VIII of 1827 entitling the holder thereof to receive payment of such sum, balance or part, or
 - (ii) where no person is so nominated, to any person who produces such probate, letters or certificate:

Provided that, where the whole or any part of any sum standing to the credit of the subscriber or depositor has been assigned to any other person before the commencement of this Act and notice in writing of the assignment has been received by the officer from the assignee, the officer shall, after making any deduction authorised by this Act and any payment due under clause (a) to or on behalf of the widow or children of the subscriber or depositor: –

- (i) if the subscriber or depositor or, if he is dead, the person to whom in the absence of any valid assignment the sum or balance be payable under this sub-section gives his consent in writing, pay the sum or part or the balance thereof, as the case may be, to the assignee, or
- (ii) if such consent is not forthcoming withhold payment of the sum, part or balance, as the case may be, pending a decision of a competent Civil Court as to the person entitled to receive it.

(2) The making of any payment authorised by sub-section (1) shall be a full discharge to the Government or Railway administration, as the case may be, from all liability in respect of so much of the sum standing to the credit of the subscriber or depositor as is equivalent to the amount so paid.

5. Rights of nominees.—(1) Notwithstanding anything contained in any law for the time being in force or in any disposition, whether testamentary or otherwise by a subscriber to, or depositor in, a Government or Railway Provident Fund of the sum standing to his credit in the fund, or of any part thereof where any nomination, duly made in accordance with the rules of the Fund, purports to confer upon any person the right to receive the whole or any part of such sum on the death of the subscriber or depositor occurring before the sum has become payable, or before the sum having become payable, has been paid, the said person shall on the death as aforesaid of the subscriber or depositor become entitled to the exclusion of all other persons, to receive such sum or part thereof, as the case may be, unless:—

- (a) such nomination is at any time varied by another nomination made in like manner or expressly cancelled by notice given in the manner and to the authority prescribed by those rules, or
- (b) such nomination at any time becomes invalid by reason of the happening of some contingency specified therein and if the said person predeceases the subscriber or depositor the nomination shall, so far as it relates to the right conferred upon the said person, become void and of no effect:

Provided that where provision has been duly made in the nomination in accordance with the rules of the Fund, conferring upon some other person such right instead of the person deceased, such right shall, upon the decease as aforesaid of the said person, pass to such other person.

(2) Notwithstanding anything contained in the Indian Succession Act, 1925 (39 of 1925), or the Bombay Regulation VIII of 1827 any person, who becomes entitled as aforesaid may be granted a certificate under that Act, or that Regulation, as the case may be, entitling him to receive payment of such sum or part, and such certificate shall not be deemed to be invalidated or superseded by any grant to any other person of probate or letters of administration to the estate of the deceased.

(3) The provisions of this section as amended by sub-section (1) of section 2 of the Provident Funds (Amendment) Act 1946(11 of 1946) also shall apply to all such nominations made before the date of Act commencement of that Act:

Provided that the provisions of this section as so amended shall not operate to effect any case, in which before the said date any sum has been paid, or has under the rules of the Fund become payable in pursuance of any nomination duly made in accordance with those rules.

6. Power to make deductions.—When the sum standing to the credit of any subscriber or depositor in any Government or Railway Provident Fund which is a Contributory Provident Fund becomes payable, there may, if the authority specified in this behalf in the rules of the Fund so directs, be deducted therefrom and paid to Government or the Railway Administration, as the case may be :—

(a) any amount due under a liability incurred by the subscriber or depositor to Government or the Railway administration, but not exceeding in any case the total amount of any contributions credited to the account of the subscriber or depositor and of any interest or increment which has accrued on such contributions; or

(b) where the subscriber or depositor has been dismissed from his employment for any reasons specified in this behalf in the rules of the Fund, or where he has resigned such employment within five years of the commencement thereof, the whole or any part of the amount of any such contributions, interest and increment.

7. Protection for acts done in good faith.—No suit or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

8. Power to apply the Act to other Provident Fund:—(1) The appropriate Government may, by notification in the local official gazette, direct that the provisions of this Act except section 6A shall apply to any Provident Fund established for the benefit of its employees by any local authority within the meaning of the Local Authorities Loans Act, 1914,(9 of 1914) and, on the making of such declaration, this Act shall apply accordingly, as if such Provident Fund were a Government Provident Fund and such local authority were the Government.

(2) The appropriate Government may, by notification in the official gazette direct that the provisions of this Act except section 6A shall apply to any Provident Fund established for the benefit of the employees of any of the institutions specified in the Schedule, or of any group of such institutions, and on the making of such declaration, this Act shall apply accordingly as if such Provident Fund were a Government Provident Fund and the authority having custody of the Fund were the Government:

Provided that section 6 shall apply as if the authority making the contributions referred to in that section were the Government.

(3) The appropriate Government may by notification in the official gazette add, to the schedule the name of any public institution, as it may deem fit, and any such addition shall take effect as if it had been made by this Act.

(4) In this section "the appropriate Government" means:—

(a) in relation to a cantonment authority, a port authority for a major port, and institution which, or the objects of which, appear to the Central Government, to

fall within list I, in the Seventh Schedule to the Constitution the Central Government, and

(b) in other cases the State Government.

Explanation.—"The State Government" in relation to an institution registered under the Societies Registration Act, 1860 (21 of 1860), means the State Government of the State in which the Society is registered.

9. Savings, as to estates of soldiers.—Nothing in section 4 or section 5 shall apply to money belonging to any estate for the purpose of administration of which the Regimental Debts Act, 1893 (56 and 57 vict. 5) applies.

10. Repealed by the Repealing Act, 1927 (12 of 1927).

THE SCHEDULE

List of Institutions

[See sub-section (2) of section 8]

The Pasteur Institute of India, Kasauli.

A Court of Wards.

The Indian Central Cotton Committee.

The National Association for supplying female medical aid to the women of India

A College affiliated to a University established by Statute.

The Indian Red Cross Society.

The Lady Minto Indian Nursing Association.

The Indian Lac Cess Committee.

The State Bank of India.

The Institution created for the Control of Emigrant Labour under Districts Emigrant Grant Labour Act, 1932.

The Bombay Board of Film Censors.

The Central Board of Irrigation.

The Reserve Bank of India. '

The Medical Council of India.

The Indian Coffee Cess Committee.

The Punjab State Electricity Board.

The Punjab University.

The Punjab Agricultural University.

APPENDIX 5

Omitted.

APPENDIX VI**Memorandum explanatory of Government Provident Fund Rules
vis-a-vis the law on the subject****PREFACE**

The object of this Memorandum is to lay down for the assistance of officers called upon to administer the Provident Fund Rules, certain practical principles which may be safely followed in their administration. The Memorandum is not exhaustive and exceptional cases may arise which are not covered by these instructions, but it is hoped that it will be found useful in dealing with the generality of cases arising under the various Provident Fund Rules.

2. The Memorandum does not cover the Railway Provident Fund Rules and therefore, its application to cases arising in connection with the administration of those rules is limited to such provisions of the Railway Provident Fund Rules as are similar to those on the civil side.

3. It is hoped that the Memorandum will be useful also to subscribers and that it will assist them to arrange for the disposition of their policies in a manner which will enable their families to realise provident fund deposits with the minimum of inconvenience and expense.

4. This memorandum is intended for official use only:—

- (1) It may be observed at the outset that various Provident Fund Rules have been framed under section 96-B of the Government of India Act, 1919, and that they have been kept alive under Article 118(a) of the Constitution of India, so far as they are consistent with the Constitution and are to be deemed to be rules made under the appropriate provisions thereof.
- (2) The rules come into contact with the law as regards: —
 - (i) the protection of deposits,
 - (ii) the power of disposition of deposits,
 - (iii) the repayment of deposits on the death of the subscriber or depositor, and
 - (iv) life insurance policies and their assignment and reassignment. The Provident Fund Act itself and the statutory rules framed under the Act, legislate for (1), (2) and (3) and the Indian Contract Act, the Transfer of Property Act, the Married Women's Property Act and the Insurance Act, 1938, govern the assignment and reassignment of Insurance policies.

MEMORANDUM EXPLANATORY OF GOVERNMENT
[APPENDIX VI] PROVIDENT FUND RULES vis-à-vis THE LAW ON THE
SUBJECT

(3) Effect of sections 3(1) and 3(2).—The Protection of deposits.—The Provident Fund Act protects deposits both during the lifetime and after the death of the depositor. Section 3(1) gives complete protection during the lifetime of the subscriber against creditors and also against Government, save to the extent contemplated in section 6 in the case of Contributory Provident Fund. Section 3(2) deals with the protection of deposits after death and ensures that any sums standing to the credit of any subscriber to any provident fund at the time of his death and payable under the rules of the Fund to any dependent shall, subject to any deduction authorised by section 6 (if the fund is a Contributory Provident Fund), vest absolutely in the dependent free of any charge. The protection does not extend to a person who becomes entitled to the provident fund money but is not a dependent, or to any debt or liability incurred on the dependent after the death of the subscriber.

(4) Power of disposition.—A subscriber after retirement from service is at perfect liberty to withdraw his deposits in a provident fund and deal with them as he pleases. While in service, however, he is entitled to and, as a matter of practice, required to make arrangements to dispose of his deposits by nominating some member or members of his ‘family’ to receive the money after his death (the word “family” has been defined in the rules). A subscriber who has no family can nominate anyone he pleases but such a nomination will become void when he acquires a family. The legal position, briefly stated, is that a nomination made in accordance with the rules of the fund confers on the nominee an absolute right notwithstanding that the personal law of the subscriber might prescribe a different destination for the deceased subscriber's estate.

The legal effect of a nomination is stated in section 5 of the Provident Fund Act. That section requires careful reading. Section 5(1) by itself does not provide for any nomination to be made and does not by itself create any right in the favour of the nominee. It merely gives protection and force to a nomination made in accordance with the rules of the provident fund. If, therefore, a rule exists in any provident fund rules (as in rule 26 of the State Railway Provident Fund Rules), rendering nominations invalid by marriage or remarriage, nominations even if valid when made, will become ineffective if a subscriber marries or remarries and will not be nominated to which the protection of section 5(1) of the Act will extend.

A nomination made under section 5(1) of the Act must be a valid nomination in accordance with the rules in force at the time such nomination is made. There is always a risk that such nomination may lose its effect in the light of subsequent amendments or alterations of the rules. Rule 13.7(7) of the Punjab General Provident Fund Rules only gives protection to nominations made before the rules came into force. In order that there may be no doubt as to the validity of any nomination it is in

the interest of subscribers to see that nominations are in accordance with the rules as they may stand amended or altered from time to time.

Section 5(2) merely extends the scope of Succession Certificate Act of 1889 and Bombay Regulation VIII of 1827 and enables nominees mentioned in section 5(1) to claim succession certificates under these enactments (payment of such claims has also been provided for in section 4(c) (1) of the Act).

A subscriber or depositor is permitted in his lifetime to draw on his deposits or subscriptions for payment of premia on a life insurance policy which is thus financed out of the General Provident Fund. The subject of life insurance policies is, however, sufficiently important to merit separate treatment in another section.

(5) Repayment.—Sections 3(2) and 4 of the Provident Fund Act regulate repayment of provident fund deposits but the latter section should be read in conjunction with the relevant provident fund rules governing the manner of distribution of deposits. Any sum payable under these rules to a dependent of a deceased subscriber, as defined in section 2(c) of the Act and is payable to such dependent or, if such person is a minor or a lunatic, to the person authorised by law to receive it on his behalf. The person undoubtedly authorised by law to receive, on behalf of minor, the sum payable, is a guardian appointed by a Court.

(6) Under most of the Provident Fund Rules (except the Indian Civil Service and the State Railways Provident Fund Rules) the provident fund money must be paid in equal shares to the members of the family if there is no nomination or if the nomination is in favour of a person who is not a member of the family. If there is no family, and the subscriber has nominated a person, who, though not a member of the family as defined in the relevant Provident Fund Rules, is a dependent as defined in section 2(c) of the Act, payment is regulated under section 4(1)(a) *ibid*. If, however, the nomination is in favour of an outsider, i.e., who is not a dependent of the subscriber, payment is regulated under section 4(1)(b), if the total amount does not exceed Rs.500 and under section 4(1)(c)(i) if the amount exceeds Rs.5,000.

The following examples illustrate how repayment is made under the Punjab General Provident Fund Rules: –

Example 1.—There is a family and there is a nomination in favour of one member of the family. The money vests in the nominee and payment must be made to the nominee. (See sections 3(2) and 4(1)(a) and the relevant Provident Fund Rules).

Example 2.—There is a family, but there is no nomination in favour of any member of the family or the nomination is not valid under the rules. Payment must be made to all members of the family in equal shares. (See section 4(1)(a) and the relevant Provident Fund Rules.)

MEMORANDUM EXPLANATORY OF GOVERNMENT
[APPENDIX VI] PROVIDENT FUND RULES vis-à-vis THE LAW ON THE
SUBJECT

Example 3. –(i) There is no family and there is a nomination in favour of a person who is a dependant as defined in section 2(c) of the Act. The money vests in the nominee and payment must be made to the nominee. (See sections 3(2) and 4(1)(a) of the Act).

(ii) There is no family and there is a nomination in favour of a person who is also not a dependant. Payment will be made to the nominee if the amount does not exceed Rs. 5,000 (See section 4(1)(b) and the relevant Provident (Fund Rules) but if the amount exceeds Rs. 5,000, payment will be made to such nominee only on production of a succession certificate, probate, or letters of administration. (See section 4(1)(c)(i).)

Example 4.–Where there is no family and no nomination in favour of any person, payment will be made–

- (a) if the amount does not exceed Rs. 5,000 to the person appearing to the Accounts Officer to be entitled to receive it. (See section 4(1)(b).)
- (b) if the amount exceeds Rs. 5,000 to the person producing letters of administration, probate or succession certificate.

An assignment of deposits by the subscriber made before the 1st April, 1926, will be recognised to the extent contemplated in section 3(2) of the Act even if there is a family, but this concession gives no relief to the assignee if the subscriber leaves a widow or a child.

(7) to (13) Omitted.

APPENDIX-VII

[Referred to in rule 15.1(b)]

Punjab Government Group Insurance Scheme, 1982.

1. Date of Effect:—The Punjab Government Employees Group Insurance Scheme, 1982 (hereinafter referred to as the Group Insurance Scheme) was notified on the 15th August, 1982 and has been brought into force with effect from the forenoon of the 2nd October, 1982.

2. Objective:—The Group Insurance Scheme is intended to provide for the Punjab Government employees at a low cost and on a wholly contributory and self-financing basis, the twin benefits of an insurance cover to help their families in the event of death in service and a lump sum payment to augment their resources on retirement.

3. Application:—Save as provided in Rule 15.2, the Group Insurance Scheme will apply to the members of Service that is to all the Punjab Government employees excluding persons on deputation from other State Governments, Public Sector Undertakings or Autonomous Organisations, Casual Labourers, part-time and *ad hoc* employees, but will not apply to persons recruited under the Punjab Government after attaining the age of fifty years.

4. Membership:—(1) The Group Insurance Scheme will be compulsory for all those employees who enter Punjab Government Service after the Group Insurance Scheme is notified i.e. all those employees entering Punjab Government Service after the 15th August, 1982 will be compulsorily covered under the Group Insurance Scheme from the date it comes into force.

(2) Those employees who are already in Punjab Government service on the date of the commencement of the Group Insurance Scheme would have an option to opt out of the Group Insurance Scheme. This option was to be exercised by them in Form G. I. No. 3 by the 30th September, 1982. Those employees who had not opted out of the Group Insurance Scheme by that day were deemed to become members of the Group Insurance Scheme from the date the Group Insurance Scheme came into force. The option, once exercised (or not exercised) was to be treated as final.

(3) After the Group Insurance Scheme has come into force, a person who has become a member of the Service in a month other than October shall be enrolled as member of the Scheme on the next anniversary of the Group Insurance Scheme:

Provided that a person, who becomes a member of the Service after the 1st January, 1990, on any day from 2nd January to 31st December of a year, shall be enrolled as a member of the Scheme with effect from the 1st January of the year succeeding the year in which he becomes a member of the Service.

(4) Every member of the Service enrolled as a member of the Group Insurance Scheme shall be informed by his appointing authority the date of his enrolment and

[Appendix VII] PUNJAB GOVERNMENT GROUP INSURANCE SCHEME, 1982

the subscription to be deducted from his salary in Form G. I. No.1 under intimation to Government of Punjab, Department of Finance.

5. Subscription for the members of the Scheme.—(1) The Subscription for the Group Insurance Scheme will be in units of rupees 10 per month. A Group 'D' employee will subscribe for one unit, a Group 'C' employee for two units, a Group 'B' employee for four units and a Group 'A' employee for eight units. Thus the rate of subscription for a member of the Group Insurance Scheme shall be rupees 10, rupees 20, rupees 40 and rupees 80 per month for Group 'D', 'C', 'B' and 'A' employees respectively:

Provided that the subscription for the Scheme shall be in the units of Rs. 15 per month with effect from the 1st January, 1990. Thus the rate of subscription for members of Group Insurance Scheme shall be Rs.15, Rs. 30, Rs. 60 and Rs.120 per month for Group 'D', 'C', 'B', and 'A' employees respectively, from 1st January, 1990.

(2) In the event of promotion on regular basis of an employee from one Group to another, his subscription shall be raised from the next anniversary of the Group Insurance Scheme to the level appropriate to the Group to which he is promoted under intimation to him in Form G. I. No. 2 until the date of next anniversary of the Group Insurance Scheme he shall continue to be covered for insurance for the same amount for which he was eligible before such promotion.

(3) In the event of reversion of an employee from a higher Group to a lower Group, there shall be no reduction in the rate of his subscription and he shall continue to be covered for insurance for the same amount for which he was eligible immediately before such reversion.

6. Premium and insurance cover for the Punjab Government employees other than the members of the Scheme.—The Punjab Government employees, entering Service after the 1st January, 1990, on any day from 2nd January to 31st December of a year, will be given benefit of appropriate insurance cover from the date of joining Government service to the date of their becoming members of the Scheme on payment of a subscription of rupees 5 per month as a premium for every rupees 15,000 of the Insurance Cover, they shall pay subscription at the revised rates effective from 1st January, 1990.

7. Insurance Fund and Insurance cover for the member of the Scheme.—(1) In order to provide an insurance cover to each members of the Scheme, a portion of the subscription shall be credited to an Insurance Fund to be held in the Public Fund of the Punjab Government. The amount of insurance cover shall be rupees 10,000 for each unit of subscription, provided that in the case of a Government employee who has opted for the Scheme with the revised rates of subscription

effective from 1st January, 1990, or who is enrolled as a member of the Scheme, on or after the 1st January, 1990, the amount of insurance cover shall be Rs.15, 000 for each unit of subscription. It will be paid to the nominee(s) or heir(s), as the case may be, of a member of the Scheme, who unfortunately dies, due to any cause while in Government Service, before attaining the age of superannuation.

(2) The positive or negative balance under the Insurance Fund shall be credited or debited as the case may be, with the amount of interest calculated at the prevailing rate of interest on the Post Office Saving Bank Deposits which at present, is 5.5 per cent per annum.

8. Savings Fund.— (1) The balance of the subscription shall be credited to the Savings Fund. The amount in the Savings Fund shall be held by the Punjab Government in Public Fund. The total accumulation of Savings Fund together with interest thereon shall be payable to him on his ceasing to be a member of the Group Insurance Scheme by retirement or otherwise or to his nominee or nominees, as the case may be, in the event of his death while in Service.

(2) The benefits admissible from the Savings Fund shall be determined by the Punjab Government from time to time. A Table showing the amount to be credited to the accounts of members of the scheme on account of Savings Fund along with the benefit of interest, shall be issued by the Government on yearly basis.

(3) In the case of the death of a member of the Scheme, the payment of the amount of Insurance payable to the nominee or nominees, as the case may be, will be in addition to the payment from the Savings Fund.

(4) The balance under the Savings Fund shall be credited with the amount of interest calculated at such rate of interest as is notified by Department of Finance for the purpose from time to time.

9. Recovery of subscription.— (1) The subscription of a member of the Scheme for a month shall fall due at the commencement of the normal working hours on the first of that month.

(2) The subscription as a premium for the insurance cover shall initially fall due from the date of appointment to the service and subsequently from the commencement of normal working hours on the 1st of every month.

(3) The subscription for a month shall be recovered by deduction from the salary of a member of the scheme for that month irrespective of the date of actual payment of salary for that month.

(4) The subscription shall be recovered every month including the month in which the member of the Scheme ceases to be a member of the Scheme or remains on leave other than extraordinary leave or under suspension.

[Appendix VII] PUNJAB GOVERNMENT GROUP INSURANCE SCHEME, 1982

(5) No interest shall be charged on arrears of subscription if the non-recovery is due to delayed payments of salary.

(6) If a member of the Scheme is on extraordinary leave and there is no payment of his salary for any period, his subscription for the month for which no payments of salary is made to him shall be recovered with interest admissible under the Insurance Scheme on the accretions to the Savings Fund in not more than three instalments commencing from his salary for the months following the month, in which he resumes duty on the expiry of leave. If a member of the Scheme dies while on extraordinary leave, the subscriptions due from him shall be recovered with interest admissible under the Scheme on the accretions to the Savings Fund from the payments admissible to his family under the Group Insurance Scheme.

(7) If a member of the Scheme proceeds on deputation or on foreign service in or out of India, the borrowing authority or foreign employer, as the case may be, shall be requested to effect the recovery of the subscription from his salary and remit the same to the Punjab Government in the parent Department of the member of the Scheme for credit to the relevant head of account. The necessary clause to this effect shall be included in the terms of deputation or foreign service. The recovery of this amount shall be watched in the same manner as applicable to leave salary and pension contribution if the borrowing authority or foreign employer fails to recover the subscription and remit to the Punjab Government in the parent department of the member of the Scheme, it shall be the responsibility of the member of the Scheme to pay the subscription regularly. If at any time the recovery of subscription falls in arrears, the same shall be recovered with interest at the rate admissible under the Group Insurance Scheme on the accretions to the Savings Fund in not more than three instalments.

10. Financing of subscription from General Provident Fund.— (1) It shall not ordinarily be permissible to finance the Group Insurance Scheme from General Provident Fund. However, if at any stage the financial position of the member of the Scheme does not permit him to subscribe to the Group Insurance Scheme and to the General Provident Fund, at the same time, he may be permitted to make, as a separate transaction, a non-refundable withdrawal of his General Provident Fund of an amount equivalent to one year's subscriptions, paid or payable to the Group Insurance Scheme.

(2) The Subscription to the Group Insurance Scheme will form part of deductions allowed in respect of life insurance premia subscriptions to Provident Fund etc. in computing the total income of the member of the Scheme for the purpose of income tax except to the extent of the amount finally withdrawn from the General Provident Fund account as provided in sub-para (1).

11. Payment from Insurance Fund or Savings Fund.— (1) When a member of the Service ceases to be a member of the Group Insurance Scheme and his service documents show that he has been a member of the Scheme, the Head of Office shall issue a sanction, in Form G. I. No. 19, for the payment of the member's accumulation in his Savings Funds admissible to him under para 8 after obtaining an application in Form G.I. No.4.

(2) If a member of the Scheme dies while in service before attaining the age of superannuation and his service documents show that he was a member of the Scheme, the Head of Office shall address the nominee(s) of the Government employee concerned in Form G.I. No. 5 to submit an application in Form G. I. No. 6 and on receipt of such application, shall issue two separate sanctions—one in Form G. I. No. 20(i), for the payment of accumulation in the Savings Fund and the other in Form G. I. No. 20(ii), for the payment of Insurance Fund. If a member of the Scheme dies during a month before the recovery of the subscription for that month from him, his dues shall be paid after deducting the subscription.

(3) The amount payable to the nominee(s) or heir(s) as the case may be of a member of the Scheme who has the benefit of an insurance cover only shall be the amount of insurance appropriate to his Group.

(4) The amount payable to the nominee(s)/heir(s) of a member of the Scheme who dies while in service, shall be –

- (a) The amount of insurance to which he was entitled at the time of his death, plus—
- (b) The amount due to him out of the Savings Fund for the entire period of his membership in the lowest Group, and
- (c) The amount or amounts due to him for additional units by which his subscription was raised on each occasion due to appointment or promotion to higher group for the period from which the rate of subscription was raised to the date of his death.

Illustration:— (1) For example, if a Group 'D' employee, who is a member of the Scheme acquires a membership in Group 'C' and Group 'B' after five years and fifteen years of service, respectively and dies while in service after thirty years of total membership in all these Groups, his nominee or nominees, as the case may be, shall be paid the sum of the following amounts:—

- (i) the amount of insurance of rupees 40, 000 due on monthly subscription of rupees 40 being a Group 'B' member of the Group Insurance Scheme on the date of his death;

[Appendix VII] PUNJAB GOVERNMENT GROUP INSURANCE SCHEME, 1982

- (ii) the amount due from Savings Fund on a monthly subscription of rupees ten or thirty years;
- (iii) the amount due from Savings Fund on a monthly subscription of rupees 10 (rupees 20–rupees 10) for twenty-five years; and
- (iv) the amount due from Savings Fund on monthly subscription of rupees 20 (rupees 40–rupees 20) for fifteen years.

(5) The amount payable to the member of the Scheme who ceases to be in employment with the Punjab Government on account of resignation, retirement, etc. shall be –

- (a) the amount due to him out of the Savings Fund for the entire period of his membership in lowest group; and
- (b) the amount or amounts due to him for the additional units by which his subscription was raised on each occasion due to appointment or promotion to higher Group for the period from which the rate of subscription was so raised to the date of cessation of his membership.

Illustration (2).—For example, if a Group ‘D’ employee who is a member of the scheme acquires a membership in Group ‘C’ and Group ‘B’ after ten and twenty years of service respectively and retires on superannuation after thirty years of total membership in all these Groups he shall be paid the sum of the following amounts :—

- (a) the amounts due to him from the Savings Fund on a monthly subscription of rupees ten for thirty years.
- (b) the amount due to him from the Savings Fund on a monthly subscription of rupees ten (rupees 20–rupees 10) for twenty years; and
- (c) the amount due to him from the Savings Fund on a monthly subscription of rupees 20 (rupees 40–rupees 20) for ten years.

12. Withdrawal from the Insurance Fund or the Savings Fund.—(1) It shall not be permissible for any member or other beneficiary of the Group Insurance Scheme to withdraw any amount out of the Insurance Fund to which the member has been subscribing. The amount due from the Insurance Fund on the death of member of the scheme while in service shall be worked out in accordance with para 11 and paid to his nominee(s) in accordance with the accounting procedure as given in Appendix VIII as revised from time to time.

(2) It shall also not be permissible for any member of the Scheme to withdraw any amount of the Savings Fund to which he has been subscribing. The amount due to him from this fund on his cessation of employment on account of resignation, retirement etc. shall be worked out in accordance with para 11(1) and paid to him or

his nominee(s) in accordance with the accounting procedure as given in Appendix VIII, as revised from time to time.

(3) In the event of an amount erroneously deducted from the salary of an employee, who is not a member of the Scheme or who is not eligible to become such a member, shall be refunded to him by the concerned Drawing and Disbursing Officer.

13. Loans or advances from or against accumulations in the Insurance Fund or Savings Fund.— No loans or advances shall be paid to any member of the Scheme or other beneficiary of the Group Insurance Scheme from or against his accumulations in the Insurance Fund or Savings Fund to which he has been subscribing.

14. Utilisation of accumulation in the Insurance Fund and Savings Fund.— The accumulation in the Insurance Fund and the Savings Fund shall be at the disposal of the Punjab Government.

15. Mode of notification of the Group Insurance Scheme for inviting options.—The Group Insurance Scheme shall be notified to all the Government employees by the Head of Office and a certificate to that effect duly signed by the concerned Government employee and countersigned by the Head of Office shall be placed on the service book or the service documents of the concerned Government employee and a copy of the Group Insurance Scheme so notified may also be displayed on the notice board installed at a prominent place at the premises of the Office where the Government employees are working, for their information.

16. Action on notification of the Group Insurance Scheme.—By the 10th of every month, following the month in which the Group Insurance Scheme is notified, the Head of Office shall supply to the Drawing and Disbursing Officer names, Groups, dates of birth and dates of appointments of persons who may have been appointed to any service or post under the Punjab Government during the preceding month and who would be eligible to become member of the Scheme in terms of para 3.

17.(1) Every member of the Scheme shall be informed in Form G.I.No.1, the date of his enrolment, the amount of subscription to be deducted and the benefits to which he would be eligible. On his regular promotion from one Group to another, he will be similarly informed in Form G. I. No. 2.

(2) The option exercised by the employees who are already in Punjab Government Service on the date the Group Insurance Scheme is notified shall be in Form G.I. No. 3 and will be pasted in the service book of the employee concerned.

18. Register of members of the Scheme.—The Head of Office shall ensure that Group-wise register of the members of the Scheme is maintained in Form G. I. No. 9

and kept up to date. This register shall be sent to the Drawing and Disbursing Officer concerned once a year to verify whether appropriate subscriptions are being recovered from the members of the Scheme and to record a certificate to this effect.

19. Nomination.—(1) The Head of Office shall obtain from every member of the Scheme a nomination conferring on one or more persons, right to receive the amount that may become payable under the Group Insurance Scheme in the event of his death before attaining the age of superannuation. In the case of employees who are already in Punjab Government service on the date, the Group Insurance Scheme is notified and who had not opted out of the Group Insurance Scheme, such nomination shall be obtained simultaneously with the option obtained from others and in the case of employees who join Punjab Government service after the date on which the Group Insurance Scheme is notified, such nomination shall be obtained alongwith the joining report.

(2) If a member of the Scheme happens to be a minor, he will be required to make nomination on his attaining the age of majority.

(3) If a member of the Scheme has a family at the time of his making nomination, he shall make such nomination(s) only in favour of a member or members of his family.

(4) If a member of the Scheme nominates more than one person under sub-para (1), he shall specify in the nomination the amount of share payable to each of the nominees in such a manner as to cover the whole of amount payable under the Group Insurance Scheme failing which the amount payable under the Group Insurance Scheme shall be equally distributed among the nominees.

(5) The nomination shall be made in Form G.I.No.7 or G.I.No.8, as is appropriate in the circumstances.

(6) A member of the Scheme may at any time cancel a nomination by sending a notice to the Head of Office along with a fresh nomination made in accordance with the provisions of this para.

(7) The nomination received from a member of the 'Scheme' shall be countersigned by the Head of Office and pasted on his service book or service documents. The Head of Office shall also make an entry in the service book or service documents that the nomination has been duly received.

(8) Every nomination made and every notice of cancellation given by the member of the Scheme shall, to the extent that it is valid, take effect on the date on which it is received by the Head of Office who shall acknowledge the receipts of every such communication.

20. Accounting.—The transactions relating to the Group Insurance Scheme shall be regulated in accordance with the procedure laid down in Appendix VIII and the instructions issued by the Punjab Government from time to time.

21. Interpretation and clarification.—In the implementation of the Group Insurance Scheme, if any doubt arises in regard to the interpretation of any of the provisions of the Group Insurance Scheme or any matter connected therewith, the same shall be referred to the Government in the Department of Finance for decision whose decision shall be final.

22. Review of the Group Insurance Scheme.—The Government may review the working of the Group Insurance Scheme after every three years to ensure that the Group Insurance Scheme remains self-financing and self-supporting.

Appendix VIII

(Referred to in paras 12 and 20 of Appendix VII)

Accounting Procedure

(I) Accounting procedure shall be regulated by Punjab Government (para 20 of Appendix VII).

(II) Register of members of the Scheme.—

- (i) (a) The register of the members of the Scheme shall be maintained and kept up-to-date by Head of Office in Form G. I. No. 9.
- (b) The Head of Office shall also maintain the list of persons who have opted out of the Group Insurance Scheme.
- (ii) The register shall be sent to the Drawing and Disbursing Officer once a year to verify whether appropriate subscriptions are being received from the member of the Scheme (para 18 of Appendix VII) and the Drawing and Disbursing Officer will record a certificate to that effect in the register.

(III) (a) Recovery of subscription.—Each Drawing and Disbursing Officer will effect recovery of the specified subscription from each employee, who is a member of the Scheme, by deducting in the salary bills every month. He will prepare schedule of recoveries to be appended to the salary bills, separately for the members of the scheme who have subscribed to the Saving Fund and for those Punjab Government employees who have not yet been enrolled as members of the scheme and in order to get insurance cover, have subscribed to the Insurance Fund only in Form G. I. No. 10.

(b) The Accountant General, Punjab, will not maintain individual-wise accounts of the subscribers under the Group Insurance Scheme. The schedule of recoveries (in Form G. I. No. 10) shall be removed at the level of Treasury Officer, while furnishing the monthly accounts to the Accountant General, Punjab.

(IV) Deductions relating to the period during which a member of the scheme remains on extraordinary leave shall be recovered with interest as on Savings Fund, in not more than three instalments and a note to this effect shall be recorded in the Salary bills of the relevant months under the initials of Drawing and Disbursing Officer.

(V) **Ledger Accounts.**—(a) Each Drawing and Disbursing Officer shall maintain a separate account (in ledger in Form G. I. No. 11) of the subscription made by each member of the Scheme to the Savings Fund/and Insurance Fund and Insurance Fund for the subscriptions from the persons who have become members of the scheme, but have not been enrolled as members of the scheme and shall also work out and give credit of the interest due thereon according to the rate specified by the Punjab Government from time to time.

(b) For proper maintenance of accounts and quick location and operation thereof, account of each member of the Scheme shall be given number in the following manner: —

Serial number of the register of the member of the Scheme, name of the Office/Group of Insurance/year of enrolment:—

Example.—1, 2, 3,.....(as the case may be/DEO, Nabha/GIS/1982 (the Year of enrolment).

Note.—The operation of the account shall be made with reference to the name and other particulars of member of the scheme and it shall not be dependent upon the Account number which would merely be given for the aforementioned facility.

(c) A copy of the annual statement of the Group Insurance Scheme Account of the subscriber shall be supplied, in the prescribed Form G. I. No. 12 to each subscriber by the 31st March each year.

(VI) **Broad Sheet.**—In addition to the ledger in Form G. I. No. 11, a broad sheet in Form G. I. No. 13 shall also be maintained by the Drawing and Disbursing Officer.

Note.—It will be ensured that each month's total of subscriptions/payments as per ledger in Form G. I. No. 13 is equal to the total of credit/debits to individual accounts in the ledger in Form G. I. No. 11 for the relevant month.

(VII) **Attestation of entries.**—Entries in the ledger and the broad sheet will be attested by the Drawing and Disbursing Officer at the time of the signing the monthly salary bills.

(VIII) **Head of Accounts.**—The total amount of recoveries made in a salary bill by a Drawing and Disbursing Officer on account of subscriptions to the Insurance Fund and Savings Fund shall be credited to the Head of account 8011—Insurance and Pension Fund – Minor Head –107—Punjab State Government

Employees' Group Insurance Scheme,

Sub-Heads – 01 Insurance Fund
 02 Savings Fund

respectively in the treasury accounts.

(IX) Preparation of Insurance Claim.—In the month of January each year every Drawing and Disbursing Officer will prepare claim, on a contingent bill Form for drawal of an appropriate amount from the Savings Fund for credit to the Insurance Fund in respect of the employees, who have been members of the Scheme during the preceding year. The bill shall be classified under head 8011—Insurance and Pension Fund—Minor Head—107—Punjab State Government Employees' Group Insurance Scheme, Sub-Head—02—Savings Fund.

The yearly premium creditable to the Insurance Fund as fixed by the Punjab Government,—vide para 8(2) of Appendix VII, with effect from 1st October, 1988 is 30 per cent of the total amount of subscription of a member of the Scheme during a year. The bill will be accompanied by a Treasury Challan classified under Head:—

8011—Insurance and Pension Funds—Minor Head—107 Punjab State Government Employees' Group Insurance Scheme, Sub-Head—01 Insurance Fund.

The bill shall be endorsed as "Received payment by transfer credit to the head, "8011—Insurance and Pension Funds—Minor Head—107 Punjab State Government Employees' Group Insurance Scheme, Sub-Head—01 Insurance Fund.

The amount yearly credited to the Insurance fund will be recorded in a service-wise ledger maintained in Form G. I. No. 14 by each Drawing and Disbursing Officer.

Note.—The expression 'Preceding Year' in these Paragraphs shall mean the scheme year commencing from the 1st January and ending with the 31st December immediately preceding the year during which preparation of the insurance claim is undertaken.

(X) Recovery of Subscriptions in cases of deputation or Foreign Service.—In case of an employee, who is a member of the Scheme, and who is proceeding on deputation or on foreign service, the borrowing authority or foreign employer shall effect the recovery of the subscription from the salary of that employee and remit the amount by the Treasury Challan under the relevant Head of Account. The Treasury Challan will be sent by the borrowing authority or foreign employer to the Head of Office concerned before the 10th day of the month succeeding that to which the recovery pertains. On receipt of the Treasury Challan, the necessary entries shall be got made by the Head of Office in respective Saving Fund Accounts. The amount so received, shall be reconciled by the Head of Office with the concerned Treasury: Provided that in the case of the members of the Scheme, who are on deputation or on foreign service outside the State of Punjab, the borrowing authority or foreign

employer shall effect the recovery of the subscription from the salary of that employee and remit the amount by the bank draft to the Head of Office concerned. The Bank draft will be sent by the borrowing authority or foreign employer to the Head of Office concerned before the 10th day of the month succeeding that to which the recovery pertains. On receipt of the bank draft, the necessary entries shall be got made by the Head of Office in the respective Saving Fund Accounts. The amount received through bank draft shall be deposited in the Treasury through a Treasury Challan under the relevant Head of account.

(XI) Scrutiny of accounts.—The head of office shall have his accounts in the Savings Fund of a member of the scheme completely scrutinised in order to ensure that subscriptions for all the months, from the date of his enrolment as member to the scheme to the date of his retirement from service or death while in service, have been recovered.

(XII) Procedure for payment to beneficiaries.— (1) When a member of the service ceases to be a member of the scheme and his service documents show that he has been a member of the Scheme, the Head of Office shall issue a sanction for the payment of the accumulation in his Saving Fund which are admissible to him under para 8 of Appendix VII after obtaining an application in Form G. I. No. 4.

(2) If a member of the scheme dies while in service before attaining the age of superannuation and his service documents show that he was a member of the Scheme, the Head of Office shall address the nominee(s) or heir(s), as the case may be, of such member of the scheme in Form G. I. No. 5 to submit an application, in Form G. I. No. 6 and on receipt of such application, shall issue a sanction for the payment of the amount of insurance and the accumulation in the Saving Fund to him/them. If a member of the Scheme dies during a month before the recovery of subscription for that month from him, his dues shall be paid after deducting the subscription.

(3) (a) The amount payable to the nominee(s) or heir(s) as the case may be of a member of the Scheme, who has the benefit of an Insurance cover only shall be the amount of Insurance.

(b) The amount or amounts due to him for the additional units by which his subscription was raised on each occasion due to appointment or promotion to higher group for the period from which the rate of subscription was so raised to the date of cessation of his membership.

Illustration:— For example, if A group employee who is member of the Scheme acquires a membership in Group C and Group B after ten and twenty years of service respectively and retires on superannuation after thirty years of total membership in all these groups he shall be paid the sums of the following amounts:—

(a) the amount due to him from Savings Fund on a monthly subscription of

rupees ten for thirty years;

(b) the amount due to him from Savings Fund on a monthly subscription of rupees ten (rupees 20 – rupees 10) for twenty years; and

(c) the amount due to him from Savings Fund on a monthly subscription of rupees 20 (rupees 40 – rupees 20) for ten years.

(3) Sanction Bills.—Bill shall be prepared for the amount sanctioned out of the Insurance Fund and/or Savings Fund. Separate bills shall be prepared for drawals from the Insurance Fund and Saving Fund. Bill shall be prepared in a sample receipt bill form G. I. No. 15 for this purpose.

(4) Accounting of the payments.—(a) The amount of insurance paid shall be classified under the Head of Accounts “8011—Insurance and Pension Funds—Minor Head—107 Punjab State Government Employees' Group Insurance Scheme, Sub-Head—01 Insurance Fund, and that shall be paid from Savings Fund shall be classified under the Head of Account: –

8011—Insurance and Pension Funds—Minor Head—107—Punjab State Government Employees Group Insurance Scheme-Sub-Head—02 Savings Fund.

The payment made out of the Insurance Fund or Savings Fund shall be noted in the respective ledger also against the individual's account under the dated initials of the Head of Office.

(b) The payments made out of the Insurance/Savings Fund to an employee or his nominee shall be noted in his Service Book which will be attested by the Head Office.

(XIII) Reconciliation of Accounts.—The Drawing and Disbursing Officer will reconcile quarterly the total amount credited to or paid from the Saving Fund or Insurance Fund in respect of the establishment of his office with the figures booked in the office of the respective Treasury Officer and record a certificate to this effect on the broad sheet maintained in his office. The concerned Treasury Officer will supply the reconciled figures quarterly to the Department of Finance (in Internal Audit Organisation) in Form G. I. No. 16. The Internal Audit Organisation of the Department of Finance will reconcile the figures with the Accountant General, Punjab, annually.

(XIV) Accounts in the case to transfer of a member of the Scheme.— In the case of transfer of an employee who is member of the Scheme from one Department to another or from one Head of Office to another, his account, will be transferred along with the Last Pay Certificate to the new Head of Office with a statement showing opening balance standing to his credit in the Savings Fund and Insurance Fund at the beginning of the year and deductions during various months of the current

year. A copy of the subscriber's ledger account together with his nomination form in original will also be forwarded to the new Head of Office. Recoveries of subscription outstanding, if any on the date of transfer shall be clearly mentioned in the Last Pay Certificate so that necessary recovery of the outstanding subscriptions is made by the next Head of Office.

Sufficient copies of Form G. I. No. 21 should invariably be included in the service books of all the existing members and new members admitted to the Scheme. Every year in the month of January and at the time of transfer of the members of the Scheme, the Head of Office shall record a certificate as given below, in the Remarks Column (Col. No. 7) of the Form G. I. No. 21 over his dated signatures:

“Subscription at the rate of Rs._____appropriate to group_____of the scheme recovered from the allowances for the period from January_____to December.”

All other events in the nature of promotion, transfer on deputation/foreign service, absorption in Public Sector Undertakings/Autonomous Bodies, retirement etc., occurring during the service career of the member of the Scheme, shall, also be recorded in the appropriate Column (Col. No. 6) of Form G. I. No. 21 and duly attested by the appropriate authority over his dated signatures.

(XV) Supervision by Head of Office.—The Head of Office will obtain a monthly statement from all the Drawing and Disbursing Officers under him showing service-wise amount of subscriptions recovered from the members of the Scheme and also the payment out of the Savings Fund and Insurance Fund by the 10th of every month following the month to which the receipt and payment pertain.

(XVI) Sending of consolidated statement to the Head of Department.—(1) A consolidated statement of subscriptions recovered and payments made shall be sent by each Head of Office in respect of the members of the scheme working in his office to the Head of his Department so as to reach there by the 20th of that month.

(2) After the close of the year each Head of Office will send to Head of the Department a consolidated statement for the preceding year showing service-wise total amount of subscriptions to the Savings Fund and Insurance Fund received and payments made to those members of the Scheme who resigned or retired or otherwise ceased to be in the Punjab Government Service or died while in service.

(XVII) Supply of information to the Government of Punjab in the Department of Finance.—(1) The Head of Department will send the consolidated information in respect of all Head of Offices under him and for his Department to the Government in the Department of Finance for information so as to reach by the last date of the 1st month of the succeeding year.

(2) In addition to the aforesaid consolidated information each Head of Department shall send to the Department of Finance (one copy direct and one copy through his Administrative Secretary) the following statements after the interval indicated against each :-

(i) list of members enrolled under the Group Insurance Scheme in an alphabetical order, class wise, indicating therein the dates of their enrolment by the end of February, each year.

(ii) the annual statement by the end of April each year about the overall position of the receipt and payment in form G. I. No. 17 and form G. I. No.18 of the members employed in various offices under each Head of Office, and

(iii) the Department of Finance shall maintain in consolidated form the information received from all the Head of Offices, in a special register servicewise keeping separate folio for the categories for each Department.

(XVIII) Rules for the Accounting Procedure.—For the maintenance of accounts and all the credits, debits, receipts and payments in relation to the Punjab Government Employees' Group Insurance Scheme, 1982, the relevant rules and procedure laid down in the Punjab Financial Rules shall be duly observed.

FORMS

TABLE OF FORMS

Number of Form	Rule in which referred	Description
Pen. Series		
1	9.3, 9.6(1), 9.6(3) and 9.10(1)]	Form for Assessing Pension and Gratuity
1-A		Omitted.
1-B		Omitted.
1-C	6.16-B(6)	Form of nomination for death-cum-retirement gratuity when the officer has a family and wishes to nominate one member thereof.
1-D	6.16-B(6)	Form of nomination for death-cum-retirement gratuity when the officer has a family and wishes to nominate more than one member thereof.
1-E	6.16-B(6)	Form of nomination for death-cum-retirement gratuity when the officer has no family and wishes to nominate one person only.
1-F	6.16-B(6)	Form of nomination for death-cum-retirement gratuity when the officer has no family and wishes to nominate more than one persons.
1-G		Omitted.
2		Extraordinary Pension Application
2-A	8.38(3)	Form of application for family pension dependents of private individuals who are killed while assisting State Authorities.
3		Declaration to be made by the dependent of a deceased Government employee (other than widow and children) in support of his/her claim to an allowance.
4		Omitted.
5		Omitted.
6	8.36(2)	Form of application for injury pension or gratuity.
7	8.36(2)	Form of application for family pension
8	8.36(2)	Form to be used by Medical Boards when reporting on injuries
9		Omitted.
10	10.11	Pension Payment Order
11		Omitted.
12	11.2, 11.4, 11.6 etc.	Form of application for commutation of pension, Report of the Accounts Officer and Administrative sanction.
13	11.7	Report of the Accounts Officer and Administrative sanction
14	11.7 and 11.9	Report of the Medical Board or Committee.
14-A	11.12A	Form of Application for Commutation of Pension without Medical Examination

TABLE OF FORMS

Number of Form	Rule in which referred	Description	
15	9.4(1)(c) and 9.6(1)	Particulars to be obtained by the Head of Office from retiring Government employee eight months before the date of his retirement.	
15A	9.6(1)	Form of letter to the Accountant-General, Punjab, forwarding the pension papers of a Government employee.	
16	6.18-A(ii)	Letter to be sent by the Administrative Authority to the family of the deceased asking for necessary documents.	
16(a)	6.18-A(iv)	Form of Application (Family Pension Scheme, 1964).	
16(b)		Application for the grant of death-cum-retirement gratuity/residuary gratuity	
17	6.18-A(iii)	Form for sanctioning family pension.	
18	6.18-A(iv)	Intimation regarding death of pensioner, by T.O. to A.G	
19	7.26(1)	Form of application for permission to accept commercial employment within a period of two years after retirement.	
P.F. Series			
1	13.7(3)	Form of nomination when the subscriber has a family and wishes to nominate one member thereof.	
1-A	13.7(3)	Form of nomination when the subscriber has a family and wishes to nominate more than one member thereof.	
1=B	13.7(3)	Form of nomination when the subscriber has no family and wishes to nominate one person.	
1-C	13.7(3)	Form of nomination when the subscriber has no family and wishes to nominate more than one person	
2	Omitted.		
3 to 8	Omitted.		
G.I. Series			
Form No.	Para No.	Appendix No.	Description
1	4(4) and 17(1)	VII	Form of memorandum of enrolment under the GIS, 1982.
2	5(2) and 17(1)	VII	Form of memorandum of increase in subscription of a member on regular promotion from one Group to another.
3	4(2) and 17(2)	VII	Form of option to remain out of GIS, 1982.
4	11(1)	VII	Form of application for payment of accumulation under the G.I.S, 1982.
	XII(1)	VIII	
5	11(2)	VII	Form of letter to be addressed to the nominee(s) of the deceased member to obtain application for payment of amount due under the G.I.S, 1982.
	XII(2)	VIII	
6	11(2)	VII	Form of application for payment of amount due under the G.I.S. 1982.
	XII(2)	VIII	

TABLE OF FORMS

Form No.	Para in which referred	Appendix No.	Description
7	19(5)	VII	Form of nomination when the employee has no family and wishes to nominate one person or more than one person.
8	19(5)	VII	Form of nomination, when a Government employee has a family and wishes to nominate one member or more than one member thereof.
9	18	VII	Form of Register of Members.
	II(i)	VIII	
10	III(a)	VIII	Form of Schedule of Recoveries.
11	(V)(a) and (VI)	VIII	Form of Saving Fund/Insurance Fund Subscriptions Account.
12	5(c)	VIII	Form of Annual Statement of GIS Account.
13	(VI)	VIII	Form of Broadsheet showing subscriptions and payments
14	(IX)	VIII	Form of Insurance Fund Accounts.
15	(XII)	VIII	Form of Receipt Bill.
16	(XIII)	VIII	Statement of figures of accounts booked with the treasuries.
17	(XVII)(2)(ii)	VIII	Form of consolidated annual statement showing month-wise/group-wise total number of subscribers and total amount of subscriptions recovered.
18	(XVII)(2)(ii)	VIII	Form of consolidated annual statement showing month-wise/group-wise total number of members/payees and total amount of payments made during the year.
19	11(1)	VII	Form of sanction to make payment from Savings Fund when a member of the Service ceases to be a member of the G.I.S.
20(i)	11(2)	VII	Form of sanction to make payment from Savings Fund when a member of the G.I.S. dies while in service.
20(ii)	11(2)	VII	Form of sanction of payment from Insurance Fund when a member of the G.I.S. dies while in service.
21	(XIV)	VIII	Form to be pasted in the service book of a member of the Scheme to ensure timely recovery of subscription in case of his transfer or promotion etc.

 FORMS

FORM PEN.1

[Referred to in Rules 9.3, 9.6(1), 9.6(3) and 9.10(1)]

Form for Assessing Pension and Gratuity

(To be sent in duplicate if payment is desired in a different circle of account)

PART I

1. Name of the Government employee.
2. Father`s Name (and also husband`s name in the case of a female Government employee).
3. Date of birth (by Christian era).
4. Religion.
5. Permanent residential address showing village, town, district and State.
6. Present or last appointment including name of establishment: –
 - (i) Substantive.
 - (ii) Officiating, if any.
7. Date of beginning of service.
8. Date of ending of service.
9. (i) Total period of military service for which pension or gratuity was sanctioned.
(ii) Amount and nature of any pension/gratuity received for the military service.
10. Amount and nature of any pension/gratuity received for previous Civil Service.
11. Government under which service has Years Months Days
been rendered in order of employment.
12. Class of pension applicable.
13. The date on which action initiated to –
 - (i) obtain the 'No demand certificate' from the Directorate of Estates as provided in rule 9.2;
 - (ii) assess the service and emoluments qualifying for pension as provided in rule 9.4, and

FORMS

- (iii) assess the Government dues other than the dues relating to the allotment of Government accommodation as provided in rule 9.18.
14. Details of omissions, imperfections, or deficiencies in the service book which have been ignored under rule 9.4(b)(ii).
15. Total length of qualifying service (for the purpose of adding towards broken periods, a month is reckoned as thirty days).
16. Period of non-qualifying service. From To
- (i) Interruption in service condoned under rule 4.23.
- (ii) Extraordinary leave not qualifying for pension.
- (iii) Period of suspension not treated as qualifying for pension.
- (iv) Any other service not treated as qualifying for pension.
- Total _____
17. Emoluments reckoning for gratuity.
18. Average emoluments.
- *Emoluments drawn during the last ten months of service.
- | Post Held | From | To | Pay | Personal or Special Pay | Average Emoluments |
|-----------|------|----|-----|-------------------------|--------------------|
| | | | | | |
- *(i) In a case where the last ten months include some period not to be reckoned for calculating average emoluments, an equal period backward has to be taken for calculating average emoluments.
- (ii) The calculation of average emoluments should be based on actual number of days contained in each month.
19. Date on which Form 15 has been obtained from the Government employee (to be obtained eight months before the date of retirement of Government employee).

FORMS

20. (i) Proposed pension.
(ii) Proposed graded relief
21. Proposed death-cum-retirement gratuity.
22. Date from which pension is to commence.
23. Proposed amount of provisional pension.
(If departmental or judicial proceeding is instituted against the Government employee before retirement).
24. Details of Government dues recoverable out of gratuity: –
(i) Licence fee for the allotment of Government accommodation. [see sub-rules (2),(3) and (4) of rule 9.17].
(ii) Dues referred to in rule 9.18.
25. Whether nomination made for death-cum-retirement gratuity.
26. Whether Family Pension, 1964 applies to the Government employee and if so:–
(i) emoluments reckoning for the family pension.
(ii) the amount of the family pension becoming payable to the family of the Government employee, if death takes place after retirement.
(iii) complete and up-to-date details of the family as given (in Form 3).

Sr. No.	Name of the member of the family	Date of Birth	Relationship with the Government employee
1.	2.	3.	4.
1.			
2.			
3.			
4.			
5.			

27. Height
28. Identification marks
29. Place of payment of pension–
(Treasury, Sub-Treasury or Branch of Public Sector Bank or the Pay and Accounts Office).
30. Head of Account to which pension and gratuity are debitible.

Signature of the Head of Office

FORMS

PART IISection I

Account encasement:

1. Total period of qualifying service which has been accepted for grant of superannuation or retiring or invalid or compensation or compulsory retirement pension and gratuity, with reasons for disallowance, if any (other than disallowance indicated in Part I of this Form).

2. Amount of superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity that has been admitted.

3. The date from which superannuation or retiring or invalid compensation or compulsory retirement pension or gratuity is admissible.

4. Head of Account to which superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity is chargeable.

5. The amount of the Family Pension 1964 becoming payable to the entitled members of the family in the event of death of the Government employee after retirement.

Section II

1. Name of the Government employee.

2. Class of pension or gratuity.

3. Amount of pension authorised.

4. Amount of gratuity authorised.

5. Date of commencement of pension.

6. Amount of family pension in the event of death after retirement: –

Rs. _____ (Rupees _____)

7. The amount of graded relief admissible on pension.

8. The Government dues recoverable out of gratuity before authorising its payment.

9. The amount of cash deposit or the amount of gratuity held over for adjustment of un-assessed Government dues.

10. Date on which the pension papers received by the Accounts Officer.

FORMS

[FORM PEN I-A]
Omitted.

[FORM PEN I-B]
Omitted.

FORMS

FORM PEN. I-C

[Referred to in Rule 6.16-B (6)]

Nomination for death-cum-retirement gratuity (when the officer has a family and wishes to nominate one member thereof).

I hereby nominate the person mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by Government in the event of my death, while in service and the right to receive on my death, to the extent, specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death:—

Name and address of nominee	Relationship with officer	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer

Dated this _____ day of _____ 20____ at _____

Witnesses to signature:—

- 1.
- 2.

Signature of Officer

(To be filled in by the Head of Office in the case of a Group 'C' or Group 'D' employee).

Nomination by _____

Designation _____

Office _____

Signature of Head of Office _____

Dated _____

Designation _____

FORMS

FORM PEN. I-D

[Referred to in Rule 6.16-B(6)]

(Nomination for death-cum-retirement gratuity (when the officer has a family and wishes to nominate more than one member thereof)

I hereby nominate the persons mentioned below, who are the members of my family, and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death: –

Name and address of nominee	Relationship with officer	Age	*Amount of share of gratuity payable to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer

N.B.–The Officer should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of _____ 20__ at _____

Witnesses to signature:

- 1.
- 2.

Signature of Officer

***Note.** This column should be filled in so as to cover the whole amount of gratuity (To be filled in by the Head of Office in the case of Group 'C' & Group 'D' employees)

Nomination by _____

Designation _____

Office _____

Signature of Head of Office _____

Dated. _____

Designation _____

FORMS

FORM PEN. I-E

[Referred to in Rule 6.16-B (6)]

(Nomination for Death-cum-Retirement Gratuity)

(When the officer has no family and wishes to nominate one person)

I, having no family, hereby nominate the person mentioned below, and confer on him the right to receive any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent, specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

Name and address of nominee	Relationship with officer	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer

Dated this _____ day of _____ 20_____ at _____.

Signature of Officer

Witnesses to signature :

1. _____

2. _____

(To be filled in by the Head of Office in the case of Group 'C' or Group 'D' employees)

Nomination by-----

Designation-----

Office-----

Signature of Head of Office_____

Dated_____

Designation_____

FORMS

FORM PEN. 1-F

[Referred to in Rule 6.16-B (6)]

(Nomination for Death-cum-Retirement Gratuity)

(When the officer has no family and wishes to nominate more than one person)

I, having no family, hereby nominate the persons mentioned below and confer on them the right to receive to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent, specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death:—

Name and address of nominee	Relationship with officer	Age	*Amount of share of gratuity payable to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer

Note.— The Officer should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of _____ 20_____ at _____

Signature of Officer

Witnesses to signature

- 1.
- 2.

***Note.** The column should be filled in so as to cover the whole amount of gratuity (To be filled in by the Head of Office in the case of Group 'C' & Group 'D' employees)

Nomination by _____

Designation _____

Office _____

Signature of Head of Office _____

Dated, _____

Designation _____

FORM PEN. 1-G

Omitted.

FORMS

FORM PEN. 2

[Referred to in Rule 8.38(3)]

Extraordinary Pension Application

Application for an extraordinary pension for the family of _____
 killed in the execution of duty of _____

Submitted by the _____.

Description of the claimant {

1. Name and residence showing, village, tehsil and district _____
2. Age _____
3. Height _____
4. Race, caste or tribe _____
5. Marks for identification _____
6. Present occupation and pecuniary circumstances _____
7. Degree of relationship to deceased _____

Description of the deceased {

8. Name _____
9. Occupation and service _____
10. Length of service _____
11. Pay when killed _____
12. Nature of injury causing death _____
13. Amount of pension or gratuity proposed _____
14. Place of payment _____
15. Date from which pension is to commence _____
16. Remarks _____

Name _____ Date of birth by
 Christian era _____

Names and ages of surviving kindred of deceased {

Sons _____

Widows _____

Daughters _____

Father _____

Mother _____

Note 1.—If the deceased has left no son, widow, daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.

(Place) _____

(Date) _____

Signature of Head of Office

Note 2.—Entries 1,4,8 and 14 to be entered in block capitals.

FORMS

FORM PEN. 2-A

[Referred to in Rule 8.38(3)]

Form of application for Family Pension

Application for an extraordinary pension for the family of A.B., late a _____
 _____, killed, or died of injuries received as a result of _____

Submitted by the _____.

Description of the claimant {

1. Name and residence showing, village, tehsil and district _____
2. Age _____
3. Height _____
4. Race, caste or tribe _____
5. Marks for identification _____
6. Present occupation and pecuniary circumstances _____
7. Degree of relationship to deceased _____

Description of the deceased {

8. Name _____
9. Occupation _____
10. Income of the deceased _____
11. Nature of injury causing death _____
12. Amount of pension or ex-gratia proposed _____
13. Place of payment _____
14. Date from which pension is to commence _____
15. Remarks _____

Name _____ Date of birth by
 Christian era _____

Names and ages of surviving kindered of deceased {

Sons _____

Widows _____

Daughters _____

Father _____

Mother _____

Note.—If the deceased has left no son, widow, daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.

(Place) _____

(Date) _____

Signature of Head of Office

FORMS

FORM PEN. 3

Declaration to be made by the dependent of a deceased Government employee (other than widow and children) in support of his/her claim to an allowance*

I (1)_____do solemnly and sincerely declare that I am the (2)_____ of the late (3)_____who died at_____on the_____day of _____20_____(that I was lawfully married) (4) and (5)_____on the day of_____20_____to_____father/mother of the above-mentioned Government employee and that the statements made in the accompanying memorandum are to the best of my knowledge and belief correct, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1885.

Signature of Applicant_____

Address_____

Declared and subscribed before me at_____this_____day of_____20____Signature of the Magistrate or Commissioner for Oath_____

If a Magistrate, Place or Country for which he acts_____

- (1) Full name of applicant.
- (2) Relationship of applicant to deceased Government employee.
- (3) Full name deceased Government employee and his designation.
- (4) Parents only.
- (5) Annex certificates of marriage.

* Strike out the words which are not applicable.

FORMS

MEMORANDUM

If there is not sufficient room to set out the required information in full herein particulars may be given on a separate sheet, which should be signed by the applicant before the Magistrate or Commissioner for Oaths and attested by him.

I.– Particulars of means of support (Income-Tax not to be deducted).

The word NONE should be written against any heading under which there are no means of support.

	ANNUAL AMOUNTS				ANNUAL AMOUNTS		
	Father of deceased Government employee (I)	Mother of deceased Government employee (I)	Brother and/or sister of deceased Government employee		Father of deceased Government employee(I)	Mother of deceased Government employee (I)	Brother and/or sister of deceased Government employee
(a) Pension (Particulars to be furnished). (i) from public funds (ii) from any other source. (b) From any trade, profession, office, employment or vocation (state nature of trade, etc.)				II.– Charges on Income (ground rents, interest on mortgages or loans etc. full particulars to be furnished. III.– Estimated income to be derived from any sum received or expected to be received from the deceased Government employee's Estate and not already invested.			

FORMS

	ANNUAL AMOUNTS				ANNUAL AMOUNTS		
	Father of deceased Government employee (1)	Mother of deceased Government employee (1)	Brother and/or sister of deceased Government employee		Father of deceased Government employee(1)	Mother of deceased Government employee (1)	Brother and/or sister of deceased Government employee
(c) From the owner-ship of land or property (net annual value) including any in own occupation (show assessment for income-tax.)				IV. –Amount allowed by the deceased Government Employee to his parent/brother and/or sister during the 12 months immediately preceding his death (Full particulars to be furnished hereunder, supported by independent testimony e.g. a statement by the deceased Government employee’s bankers passbooks, etc.) Total			
(d) From the occupation of land.							
(e) From stocks, shares, investments, money lent on mortgage, interest on deposits, etc.							
(particulars to be furnished).							
(f) From marriage settlement.							
(g) Contribution from children or relatives or friends including value of anything received in kind, such as free house or board (Particulars to be furnished).							
(h) Net profits from guests or lodgers.							
(i) From any other source (particulars to be furnished).							
Total							

(1) If both the parents are alive the income of both should be stated.

FORMS

V.-Particulars of Applicant's Surviving Children

Names	Sex	Date of Birth	Married or Single	Occupation	If dependent on parents, to what extent	In the case of minors, amount of personal income if any).

- VI-(a) Date of birth of deceased Government employee_____
- (b) Was the deceased Government employee married?__ _____
If so, did he leave a widow/child or children?_____
- (c) Is the deceased Government employee's father/mother living?_____
if not, give date of his/her death_____
and State whether you have re-married _____
- (d) Date of birth of deceased Government employee's father _____
Date of birth of deceased Government employee's mother_____

FORM PEN. 4
(Omitted)

FORM PEN. 5
(Omitted)

FORM PEN. 6

[Referred to in rule 8.36(2)]

Form of Application for Injury Pension or gratuity

1. Name of applicant.
2. Father's name.
3. Race, sect and caste.
4. Residence, showing village, tehsil and district.
5. Present or last employment, including name of establishment.
6. Date of beginning of service.
7. Length of service, including interruptions_____ of
which_____
- Superior_____.
- Inferior_____.

Non-qualifying and Interruptions

8. Classification of injury.
9. Pay at the time of injury.
10. Proposed pension or gratuity.
11. Date of injury.
12. Place of payment
13. Special remarks, if any
14. Date of applicant's birth by Christian era *

* If not known exactly, must be stated on the best information or estimate.

FORMS

15. Height.

16. Marks.

Thumb and finger impressions

Thumb forefinger middle finger ring finger little finger.

17. Date on which the applicant applied for pension.

Signature of Head of Office

Note. In the case of Group 'A' or Group 'B' Government employees, Government title-holders and other persons who may be specifically exempted by Government, thumb and finger impressions and particulars of height and personal marks are not required.

FORMS

FORM PEN. 7

[Referred to in Rule 8.36(2)]

Form of Application for Family Pension

Application for an extraordinary pension for the family of _____ late a _____ killed, or died of injuries received during the performance of duty.

Submitted by the _____.

Description of claimant	{	1. Name and residence showing, village, tehsil and district _____
		2. Age _____
		3. Height _____
		4. Race, caste or tribe _____
		5. Marks for identification _____
		6. Present occupation and pecuniary circumstances _____
		7. Degree of relationship to deceased _____

Description of deceased	{	8. Name _____
		9. Occupation and service _____
		10. Length of service _____
		11. Pay when killed _____
		12. Nature of injury causing death _____
		13. Amount of pension or gratuity proposed _____
		14. Place of payment _____
		15. Date from which pension is to commence _____
		16. Remarks _____

	Name	Date of birth by Christian era
Names and ages of surviving kindred of deceased	{	Sons _____
		Widows _____
		Daughters _____
		Father _____
		Mother _____

Note 1.—If the deceased has left no son, widow, daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.

(Place) _____

(Date) _____

Signature of Head of Office

FORMS

FORM PEN. 8

[Referred to in rule 8.36(2)]

Form to be used by Medical Boards when reporting on injuries

Proceedings of Medical Board.

CONFIDENTIAL

Proceedings of a Medical Board assembled by order of _____ for the purpose of examining and reporting on the present state of the injury sustained by/disease contracted by _____ at _____ (place of injury etc.) on the _____ (date of injury, etc.)

- (a) State briefly the circumstances under which the injury/disease was sustained/contracted.
- (b) What is the Government employee's present condition?
- (c) Is the Government employee's present condition wholly due to the Injury/disease? If not, state to what other cause it is attributable.
- (d) In the case of disease from which date does it appear that the Government employee has been incapacitated?

The opinion of the Board regarding the extent of disability is as follows : –

PART A.–FINAL EXAMINATION

(A list of injuries deemed to result in permanent total disablement and permanent partial disablement is given in Annexure to Chapter VIII of Punjab C.S.R.Vol.II. This list is based on the injuries mentioned in Schedule I of the Workmen's Compensation Act, 1923. For assessing the extent of disability, the injuries mentioned in the said Annexure shall be taken into account. The Medical Board shall have due regard to the percentage of loss of earning capacity in relation to different types of injuries and record its opinion: –

Sr. No.	Description of injury	Percentage of loss of earning capacity
Total:		

2. For what period from the date of the injury–

(a) has the Government employee been unfit for duty?

(b) is the Government employee likely to remain unfit for duty ?

PART B.–SECOND OR SUBSEQUENT EXAMINATIONS

If the original degree of disability of the Government employee has changed, the opinion of the Medical Board in subsequent examination should be recorded in the same manner as indicated above.

Instructions to be observed by the Medical Board preparing the Report.

1. The Medical Board before recording their opinion should invariably consult the proceedings of previous Medical Board, if any, as also all previous medical documents connected with the Government employee brought before them for examination.

2. If the injuries be more than one, they should be numbered separately and their description and percentage of loss of earning capacity relating thereto should be mentioned clearly.

3. In assessing the extent of disability the Medical Board will confine itself exclusively to the medical aspect of the case and will carefully discriminate between the Government employee's unsupported statements and the medical documentary evidence available.

4. The Board will not express any opinion, either to the Government employee examined, or in their report, as to whether he is entitled to compensation, or as to the amount of it, nor will it inform the Government employee how the injury has been classified.

FORM PEN. 9

(Omitted)

FORMS

FORM PEN. 10
(Referred to in rule 10.11)
(PENSION PAYMENT ORDER)

PART-I

P.P.O. No.

Case File No.

Debitable to Government of Punjab

Head of Account 2071-Pension and Other Retirement Benefits

01-Civil

101-Superannuation and Retirement Allowances

Allocation	Before 1-11-1966	After 31-10-1966	Total
Pension			
Family Pension (Enhanced)			
Family Pension			

1. UNTIL FURTHER NOTICE and on the expiry of every month, please pay to _____ the Pension/Family Pension (as set out in Part-II of the order) plus the amount of Dearness Relief as admissible from time to time thereon after due identification of the pensioner.
2. The payment of pension should commence from _____.
3. In the event of death of _____ Family Pension of Rs. _____ per month may be paid to _____ from the day following the date of death of _____.
4. The Income Tax where deductible, should be deducted at source.

Signature
Designation

To

The District Treasury Officer

Special Seal of the Pension Payment Order
Issuing Authority

FORMS

(Important Instructions)

FAMILY PENSION IS TO BE PAID

(i) In case of Widow: From the date following the date of death of the deceased govt. servant till re-marriage or death of the recipient whichever is earlier.

(ii) In Case of Son: From the date of death of the deceased Govt. servant till the age of 25 years or till he starts earning livelihood whichever is earlier.

(iii) In Case of Daughter: Upto the age of twenty-five years irrespective of her marriage. However, an unmarried daughter shall be entitled to family pension irrespective of her age. But, family pension shall not be admissible to a daughter, if she starts earning her livelihood.

2. No pension shall be liable to seizure, attachment or sequestration by process or any Court in India at the instance of Creditor for any demand against the pensioner (Section II of Act XIII of 1871).

3. Payment under this order is to be made only to the pensioner in person, with the following exception.

(a) To persons specially exempted by Government.

(b) To female unaccustomed to appear in public and to persons unable to appear on account of illness or bodily infirmity.

(Payment in both cases (a) and (b) is made on production of a Life Certificate signed by a responsible officer of Govt. or other well known and trustworthy person)

(c) Any person sending a Life Certificate signed by some persons exercising the powers of a Magistrate under the Criminal Procedure Code, or by any Registrar or Sub-registrar appointed under the Indian Registration Act, 1908 or by any pensioned officer who, before retirement exercised the powers of a Magistrate or by a Group 'A' or Group 'B' Officer or by a Munsif or by a police officer not below the rank of sub-inspector incharge of police station or by a Post Master, a Departmental sub-post Master or an inspector of post offices, or by officers of the Reserve Bank of India and Public Sector Bank or by the Head of a village Panchayat, Gaon Panchayat or Gram Panchayat or by the Head or and executive committee of a village or by a Bank included in the second schedule to the Reserve Bank of India Act, 1934, in respect of persons drawing pension through that Bank.

(d) In all cases referred to in Clause (a), (b) and (c) the Disbursing Officer must at least once a year require proof independent of that furnished by the Life

FORMS

Certificate of the continued existence of the pensioner. The pension shall not be paid on account of a period more than a year after the date of Life Certificate last received and the Disbursing Officer must be on the watch for authentic information of the decease of any such pensioner and on receipt thereof, shall promptly stop further payment.

4. Classification:

(a) Pension is debitable to the head 2071–Pension & ORB
01–Civil
101–Superannuation and Retirement Allowance

(b) Family Pension is debitable to the head 2071–Pension & ORB
01–Civil
105–Family Pension

Part-II

				PPO No.	
1. Name of Government Servant			2. Post Held		
3. Office:					
4. Residential Address:					
5. Date of Birth of Govt. Employee	Date of Appointment		Date of Retirement		Date of Death
6. Class of Pension	Qualifying Service	Non Q.S	Weightage in service		Net Q.S.
7. Average emoluments	Emoluments for Family Pension		Emoluments for DCRG		Last Pay Drawn
8. Amount of Pension	Cut in Pension		Commutated Pension		Net Pension
9. Provisional Pension paid @ Rs. _____ p.m. from _____ which is to be adjusted					
10. Amount of Retirement Gratuity being authorised separately by AG(A&E), Punjab (Death Gratuity is not to be paid on the basis of this order)					

FORMS

11. Amount of family pension:				
(a) Enhanced rate		from		to
(b) Normal rate		from		to
12. Detail of Family Members eligible for family pension				
Sr. No.	Name	Relationship with Government Employee	Date of Birth/Age	Whether Handicapped.
1.				
2.				
3.				
4.				

IMPORTANT INSTRUCTIONS

1. Dearness Relief is payable with reference to the amount of pension before commutation.

2. Relief on pension/family pension is payable.

3. In the event of the death of a pensioner governed by the Liberalised Pension Rules within a period of five years from the date of retirement the Disbursing Officer should take the following action.

(i) Intimation regarding the benefits of family pension and/of residuary gratuity admission under Liberalised Pension Rules under certain circumstances, should be sent to the person to whom arrears of the pension are paid or are payable under Rule 370 of the Central Treasury Rule Vol.I and

(ii) Intimation about death of the Pensioner should be sent to the Head of the Office/Department with statement of pension etc. so far paid, in order to enable him to take further action regarding grant of family pension and/or residuary gratuity.

PART-III (FOR THE TREASURY OFFICER)

1. Personal marks of identification _____
2. Signature /Thumb impression of pensioner/family pensioner (to be obtained at the time of first payment). _____
3. Commuted value and date of its payment _____

FORMS

4. Date of commencement of reduced pension _____
5. Date (in words) from which the commuted portion shall stand restored (subject to pensioner being alive on that date) _____
6. Whether the pensioner/family pensioner _____ is in receipt of any other pension, if so, its _____ particulars and source from where being drawn _____

SPECIAL REMARKS OF ACCOUNTS OFFICER

- 1.
- 2.
- 3.

PART-IV

Last sanction revision of Pension/Family Pension/Dearness Relief

Amount of Pension at the time of Retirement Rs. _____

Amount of Dearness Relief at the time of Retirement _____.

Letter No. and date	Date of effect	Amount of Revised Pension Rs.	Reason for Revision	Amount of Revised Dearness Relief Rs.	Total Monthly Pension plus Dearness Relief Payable Rs.	Remarks	Initials of designated officer

PART- V

Record of transfer of PPO from one pension Disbursing authority to another, if any:

Sr.No.	Full Particulars of PDA at which pension is drawn before transfer	Date up to which pension has been paid	Full particulars of PDA to which PPO is transferred.	Date and signature of authorised officer of transferring PDA.

FORMS

Part VI

Periodical Identification of Pensioner

(To be done twice a year if payment is by postal money order otherwise annually)

Date	Initials of designated officer	Date	Initials of designated officer	Date	Initials of designated officer

Part –VII

(Record of Disbursement)

Month for which Pension is due	Amount			Date of Payment	Disbursing Officer's initial	Remarks.
	Pension Rs.	Dearness Relief Rs.	Total Rs.			
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						
January						
February						

Note:–Dearness Relief is payable with reference to the amount of pension before commutation.

FORMS

FORM PEN. 11

(Omitted)

FORM PEN. 12

(Referred to in rules 11.2, 11.4, 11.6, etc.)

Commutation of Civil Pension* Part I-Form of Application

I, _____, desire to commute
Rs. _____ of my pension* of Rs. _____ a month.

I certify that I have answered correctly each and all of
the questions below:-

Place

Date

Space for
Photograph

Signature_____.

Designation_____.

Address_____.

Questions

Answer

1. What is the date of your birth?
2. **How much of your pension do you wish to commute?
3. (a) Have you already commuted a portion of your pension? If so, give particulars.
(b) Has any application from you for commutation of pension ever been rejected or have you ever accepted/declined to accept commutation of pension on the basis of an addition of years to your actual age recommended by the Medical authority? If so, give particulars.
4. From which treasury do you draw or propose to draw your pension and commutation money?
5. If you are drawing your pension outside India, which Accounts Officer issued the authority for payment of your pension?

* The class of pension (superannuation, retiring, invalid, compensation) should be stated and if the amount is not known, a suitable modification shall be made in the form.

**In case of anticipatory pension, the pensioner may, if he so desires, indicate his intention to commute the maximum amount in the event of his final pension being more than the anticipatory pension. In such a case the amount proposed to be commuted may, alternatively be expressed in terms of a percentage of full pension within the maximum permissible limit. The pensioner may also indicate whether he anticipates that the final amount of pension that he would be entitled to commute might exceed Rs. 2500 in case he desires to commute a sum of Rs. 2500.

FORMS

6. If you are already drawing your pension, quote the number of your pension payment order.
7. Without prejudice to the discretion of the sanctioning authority from what date approximately do you wish this commutation to have effect? (See Rules 11. 8 of the Punjab Civil Services Rules, Volume-II).
8. At what station (near the area in which you are ordinarily resident) would you prefer your medical examination to take place?

Place

Date

Signature

Forwarded for report to

[For use in cases governed by Rule 11.2(i)]

 (Here enter the designation and address of the Accounts Officer)

Signature

Designation

Place

Date

The portion of the pension to be commuted should consist of whole-rupees.

PART II

Forwarded to _____ (here enter the designation and address of the sanctioning authority).

Subject to the medical authority's recommending commutation on the lump-sum payable as stated below:—

1. Sum payable, if the commutation becomes absolute before the applicant's next birthday which falls on	i.e	On the basis of normal age i. e.			
		Rs.	Years	Plus	
	1.	Years	i.e.	Years	Rs.
		Do	Do	Plus	
	2.	Years	i.e.	Years	Rs.
		Do	Do	Plus	

FORMS

	On the basis of normal age, i. e		
2. Sum payable, if the commutation becomes absolute after the applicant's next birthday but before the next birthday but one.	Rs.	Years	
		Do	Do Plus
	1.	Years	i.e. Years Rs.
		Do	Do Plus
	2.	Years,	i.e. Years Rs.
		Do	Do Plus

3. The sum payable will be charged on :-
 Central Revenues Rs. _____
 The Government _____ (State Government)
 Rs. _____

Station _____

Signature and Designation
 of Accounts Officer.

PART III

Administrative sanction of _____ is accorded to the above commutation. A certified copy of paragraph 2 of Part II of this Form has been forwarded to the applicant in Form Pen. 13.

Place

(Signature and designation of the
 sanctioning authority)

Date

Forwarded* to the Director of Health Services, Punjab, in original on _____ (date) with the request that he will arrange for the medical examination of the applicant by the proper medical authority as early as possible within three months from the _____ (here enter the date) but not earlier than the _____ (here enter the date of retirement) and inform the applicant direct in sufficient time where and when he should appear for the examination.

* The next birthday of the applicant falls on _____ and his medical examination may be arranged before that date, if possible, unless the applicant desires that it should be held after that date but within the period prescribed in the sanctioning order.

(Signature and designation of the
 sanctioning authority)

* With one copy of Form Pen.14 and an extra copy of Part III of that Form.

FORMS

FORM PEN. 13

(Referred to in Rule 11.7)

Commutation of Civil Pension

Part I

Subject to the medical authority's recommending commutation and the conditions prescribed in Part II of this Form, the lump- sum payable will be as stated below:—

On the basis of normal age i.e

Years, Rs.

Sum payable, if the commutation becomes absolute before the applicant's next birthday which falls on _____	Do	Do	Plus
	1. Years i.e	Years	Rs.
	Do	Do	Plus
	2. Years i.e.....	Years	Rs.

Do Do Plus

On the basis of normal age, i.e.....

Rs.....Years

Sum Payable, if the commutation becomes absolute after the applicant's next birthday but before his next birthday but one.	Do	Do	Plus
	1. Years i.e	Years	Rs.
	Do	Do	Plus
	2. Years i.e.....	Years	Rs.

Do Do Plus

Signed _____

Signature and Designation of
Accounts Officer.

Station _____

Dated _____

 FORMS

PART II

The commutation for lump-sum payment of the pension of _____ is administratively sanctioned on the basis of the report of the Accounts Officer contained in Part I above. The table of present values, on the basis of which the calculations in the Accounts Officer's report have been made is subject to alternation at any time without notice, and consequently they are liable to revision before payment is made. The sum payable will be the sum appropriate to the applicant's age on his birthday next after the date on which the commutation becomes absolute or, if the medial authority directs that years shall be added to that age, to the consequent assumed age.

2. The _____ (here enter the designation and address of the Chief Administrative Medical Officer) has been requested to arrange for the medical examination and inform Mr. _____ direct where and when he should appear for the examination. He should bring with him the enclosed Form Pen. 14 with the particulars required in Part I completed except for the signature.

Station _____ Signature _____
 Dated _____ Designation _____

To

 (the name and address of the applicant)

FORMS

FORM PEN. 14

(Referred to in rules 11. 7 and 11. 9 etc.)

PART I

Statement to be filled in by the applicant for commutation of a portion of his pension.

The applicant must complete this statement prior to his examination by the _____ (here enter the medical authority) and must sign the declaration appended thereto in the presence of that authority.

- (1) State your name in full (in block letters)
- (2) State place of birth
- (3) State your age and date of birth
- (4) Furnish the following particulars concerning your family: –

Father's age, if living and state of health	Father's age at death and cause of death	No. of brothers living, their ages and state of health	No. of brothers dead, their ages at death and cause of death
Mother's age, if living and state of health	Mother's age at death and cause of death	No. of sisters living, their ages and state of health	No. of sisters dead, their ages at death and cause of death

5. Have any of your near relations suffered from tuberculosis (consumption, scrofula), cancer, asthma, fits epilepsy, insanity or any other nervous disease?
6. Have you ever been abroad?
Where and for what period and how long since?
7. Have you ever served in the Navy, Army, Air Force, or in any Government Department?

FORMS

-
8. Have you ever been examined:—
- (a) for Life Insurance or/and
 - (b) by any Government Medical Officer or State Medical Board, Civil or Military? if so, state details and with what result?
9. Have you ever been granted leave on medical certificate? If so, state periods of leave and nature of illness?
10. Have you ever:—
- (a) had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, pleurisy, heart disease, fainting attacks, rheumatism, appendicitis, epilepsy, insanity or other nervous disease, discharge from or other disease of the ear, syphilis, gonorrhoea, or
 - (b) had any other disease or injury which required confinement to bed or medical or surgical treatment, or
 - (c) undergone any surgical operation, or
 - (d) suffered from any illness, wound or injury sustained while on active service with Forces?
11. Have you rupture?
12. Have you variocoele, varicose veins or piles?
13. Is your vision in each eye good?
14. Is your hearing in each ear good?
15. Have you any congenital or acquired malformation, defect or deformity?
16. When were you last vaccinated?
17. Is there any further matter concerning your health not covered by the above questions such as presence of albumen or sugar in the urine, marked increase or decrease in your weight in the last three months and nature of illness for which treatment was taken?

DECLARATION BY APPLICANT

(To be signed in presence of the medical authority)

I declare all the above answers to be, to the best of my belief, true and correct.

I will fully reveal to the medical authority all circumstances within my knowledge that concern my health and fitness.

FORMS

I am fully aware that by wilfully making a false statement or concealing a relevant fact, I shall incur the risk of losing the commutation, I have applied for and of having my pension withheld or withdrawn under rule 2.2 of the Punjab Civil Services Rules, Part II.

Signed in the presence of _____

Applicant's Signature
Signature and designation of
Medical authority

PART II

(To be filled in by the examining medical authority)

1. Apparent age.
2. Height.
3. Weight.
4. Girth of abdomen at level of umbilicus.
5. Pulse rate:–
 - (a) Sitting.
 - (b) Standing.

What is character of pulse?
6. What is condition of arteries?
7. Blood Pressure:–
 - (a) Systolic.
 - (b) Diastolic.
8. Is there any evidence of disease of the main organs:–
 - (a) Heart.
 - (b) Lungs.
 - (c) Liver.
 - (d) Spleen.
 - (e)
9. Does Chemical examination of urine show (i) albumen, (ii) sugar? State specific gravity.
10. Has the applicant a rupture? If so, state the kind and if reducible.
11. Describe any scars or identifying marks.
12. Any additional information.

FORMS

PART III

I/We, have carefully examined A, B, and am/are of opinion that:—

Either he is/is not in good bodily health and has the prospect of an average duration of life/is not a fit subject for commutation or (in the case of an impaired life which is yet considered a fit subject for commutation), as _____ is suffering from _____ his age for the purpose of commutation i.e., his age next birthday should be taken to be _____.

Station _____

Dated _____

Countersigned (in cases where Rule 11.7(2) applies)

Left hand thumb and finger impressions
of Government employee.
(in the case illiterate person only)

(Signature and designation of examining
Medical Authority)

Reviewing Medical Authority.

FORMS

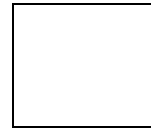
FORM PEN. 14-A

(Referred to in rule 11.12-A)

**FORM OF APPLICATION FOR COMMUTATION of PENSION WITHOUT
MEDICAL EXAMINATION**

(To be filled in duplicate)

To

The _____
(Head of Office)

Subject: – Commutation of Pension without Medical Examination.

Sir,

I furnish below the relevant particulars and request that I may be permitted to commute a part of my pension as indicated below.

*(An attested copy of my latest photograph is pasted on this application and an unattested copy is enclosed)

1. Name in block letters
2. Date of Birth
3. Date of superannuation on attaining the age of 58 years (or 60 years in the case of Group 'D' employees) or date of expiry of extension in case extension was granted
4. Designation of the post held at the time of retirement and the name of Department/Office
5. Amount of pension sanctioned and whether it is provisional or final
6. Class of pension defined as in Chapter V of Punjab C. S. R., Volume II
7. Name of Treasury or Bank and Account Number from which pension is being drawn
8. Name of the Treasury or Bank through which the commuted value is desired to be paid if payment is not desired through the Accounts Officer who authorised the pension

FORMS

9. Designation of the Accounts Officer (office of the A G. Punjab) and the number and date of the PPO, if issued
10. Amount (in whole Rupees) or percentage of pension proposed to be commuted
11. Particulars of any application for commutation of pension made previously and whether appeared before any Medical Authority or not.

Signature

Date

Full Postal Address

***Note:**—The photographs are required to be submitted if the pension is desired otherwise than through the Head of the Department/Office from which the Government employee retired.

FORMS

FORM PEN. 15

[Referred to in rule 9.4(1)(c) and 9.6(1)]

Particulars to be obtained by the Head of Office from the retiring Government employee eight months before the date of his retirement.

1. Name of the Government employee.
2. Date of Birth/Retirement.
3. *Two specimen signatures of Government employee duly attested (to be furnished in a separate sheet)
4. †Three copies of passport size **Joint Photograph of the Government employee and his/her wife/husband.
5. Two slips each showing the particulars of height and personal identification marks duly attested.
6. Present address.
7. @Address after retirement.
8. Name of the Treasury/Public Sector Bank Branch through which the Government employee wants to draw his pension.
9. @@Details of the family as defined in rule 6.17(3) of the Punjab Civil Services Rules, Volume II.

Dated the _____

Signature
Designation
Department/Office

*Two slips each bearing the left-hand thumb and fingers impressions attested, may be furnished by a person who is not literate enough to sign his name. If such a Government employee on account of physical disability is unable to give left-hand thumb and fingers impressions, he may give the thumb and finger impression of the right-hand. Where a Government employee has lost both the hands, he may give his toe impressions. The impressions shall be duly attested.

†Only two copies of passport size photographs of self need be furnished if the Government employee is governed by rule 6.17 of the Punjab Civil Services Rules, Volume II, and is unmarried or a widower or widow.

**Where it is not possible for a Government employee to submit a photograph with his wife/her husband, he/she may submit a separate photograph. The photograph shall be attested by the Head of Office.

@Any subsequent change of address should be notified to the Head of Office/Audit Office.

@@Applicable only where rule 6.17 of the Punjab Civil Services Rules, Volume II, is applied to the Government employee.

FORMS

FORM PEN 15-A

[See rule 9.6(1)]

Form of letter to the Accountant-General, Punjab, forwarding the pension papers of a Government employee.

No. _____

Government of Punjab

Department/Office

Dated the _____

To

The Accountant General ,Punjab,

Subject: Pension papers of Shri/Shrimati/Kumari _____ for authorisation of pension.

Sir,

I am directed to forward herewith the pension papers of Shri/Shrimati/Kumari _____ of this Department/Office for further necessary action.

2. The details of Government dues which will remain outstanding on the date of retirement of the Government employee and which need to be recovered out of the amount of death-cum-retirement gratuity are indicated below:—

- (a) Balance of the house building or conveyance Advance Rs. _____
- (b) Over-payment of pay and allowances including leave salary, Rs. _____
- (c) Income tax deductible at source under the Income Tax Act, 1961 (43 of 1961) Rs. _____.
- (d) Arrears of licence fee for occupation of Government accommodation Rs. _____.
- (e) The amount of licence fee for the retention of Government accommodation for the permissible period of two months beyond the date of retirement Rs. _____.
- (f) Any other assessed dues and the nature thereof Rs. _____
- (g) Any amount of gratuity to be withheld for adjustment of unassessed dues, if any, Rs. _____

Total :

FORMS

3. Your attention is invited to the list of enclosures which is forwarded herewith.

4. The receipt of this letter may be acknowledged and this Department/Office informed that necessary instructions for the disbursement of pension have been issued to disbursing authority concerned.

5. The death-cum-retirement gratuity will be drawn and disbursed by this Department/Office on receipt of authority from you. The outstanding Government dues as mentioned in para 2 above will also be recovered out of the death-cum-retirement gratuity before making payment.

Yours faithfully,

Head of Office.

List of enclosures:

1. Form PEN. 1* and Form PEN. 15 duly completed.
2. Medical certificate of incapacity (if the claim is for invalid pension).
3. Statement of the savings effected and the reasons why employment could not be found elsewhere (if claim is for compensation pension or gratuity).
4. Service Book (date of retirement to be indicated in the service book).
5. (a) Two specimen signatures, duly attested by a Group 'A' or Group 'B' Government employee or in the case of pensioner not literate enough to sign his name, two slips bearing the left hand thumb and finger impressions, duly attested by a Group 'A' or Group 'B' Government employee.
(b)**Three copies of passport size photograph with wife or husband (either jointly or separately) duly attested by the Head of Office.
(c) Two slips showing the particulars of height and identification marks duly attested by a Group 'A' or Group 'B' Government employee.
6. A statement indicating the reasons for delay in case the pension papers are not forwarded before six months of the retirement of Government employee.
7. Written statement, if any, of the Government employee as required under rule 9.4.

FORMS

8. Brief statement leading to reinstatement of the Government employee in case the Government employee has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service.

Note.—When initials or name of the Government employee are or is incorrectly given in the various records consulted this fact should be mentioned in the letter.

*If a Government employee is compulsorily retired from service and delay is anticipated in obtaining Form Pen. 1 from the Government employee, the Head of Office may forward the pension papers to the Accountant-General, Punjab without Form Pen. 1. The form may be sent as soon as it is obtained from the Government employee.

**Only two copies of passport size photograph need be furnished:—

- (i) If the Government employee is unmarried or a widower or a widow; and
- (ii) If the Government employee is governed by rule 6.17 of the Punjab Civil Services Rules, Volume II.

FORMS

FORM PEN. 16
 [Referred to in Rule 6.18-A(ii)]
 Form of Family Pension

No.

Punjab Government

Department of _____

Dated the _____

Subject: Payment of family pension in respect of the late Shri/Smt. _____

The undersigned has learnt with regret the death of Shri/Smt. _____ in his Office/Department and is directed to inform you that under provisions of Family Pension Scheme, you are entitled to Family Pension for life/till attaining the date of majority.

I am accordingly to suggest that formal claim of the grant of family pension may be submitted by you in the enclosed Form along with the following documents:-

- (1) Death Certificate.
- (2) Two copies of a passport size photograph duly attested by a Group 'A' or Group 'B' Officer.
- * (3) Guardianship certificate where pension is admissible to the minor children.
- (4) Two copies of details of family members.
- (5) Application for D. C. R G in Form Pen. 16(b)

(Designation)

To

* Where Family Pension is admissible to minor child/children.

FORMS

FORM PEN. 16(a)

[Referred to in Rule 6.18-A(iv)]

FORM OF APPLICATION (FAMILY PENSION SCHEME, 1964)

Application for a family pension for the family of late Shri/Smt. _____ in the
Office/Department of _____ (Designation)

1. Name of the applicant_____.
2. Relationship to the deceased Government employee/pensioner_____.
3. Date of retirement, if the deceased was a pensioner_____.
4. Date of death of the Government employee/pensioner_____.
5. Names and ages of surviving kindred of the deceased_____.

(Date of birth by Christian era)

Name

Widow/Widower

Sons

Unmarried daughters

- 5-A. If the applicant is widow or widower, the amount of service pension, which she or he may be in receipt on the date of death of the husband or wife.

6. Name of Treasury Sub-Treasury at which payment is desired._____
7. Signature or/left-hand thumb impression (in the case of those who are not literate enough to sign their names)_____
8. Descriptive roll of _____ widow/widower/guardian of the minor children of late_____

(i) Date of birth (by Christian era)

(ii) Height

(iii) Personal marks, if any, on hand or face

(iv) Left-hand thumb and finger impression

Small finger Ring finger Middle Finger Index finger Thumb

9. Full address of the applicant.

Attested by

Witness

(1) _____

(1) _____

(2) _____

(2) _____

Note.—The descriptive roll (column 8) and signature or left-hand thumb and finger-impression accompanying application for family pension should be in duplicate (in two separate sheets), and attested by two Group 'A' or Group 'B' Officers or persons of responsibility in the town, village or district in which the applicant resides.

FORMS

FORM PEN. 16(b)

Application for the grant of death-cum-retirement gratuity/residuary gratuity to the family of Shri/Shrimati _____ in the Office/Department of _____

1. Name of applicant.
2. Relationship to deceased Government employee/pensioner.
3. Date of birth.
4. Date of retirement if the deceased was a pensioner.
5. Date of death of the Government employee/pensioner.
6. Name of the Treasury/Sub-Treasury at which payment is desired.
7. Full address of the applicant.
8. Signature or thumb-impression of the applicant.
- *9. Attested by:–
 - (i)
 - (ii)
10. Witness

Name	Full address	Signature
(i)		
(ii)		
(i)		
(ii)		

* Attestation should be done by two or more persons of responsibility in the town, village or district in which the applicant resides.

FORMS

FORM PEN. 17

[Referred to in rule 6.18-A (iii)]

Form of sanctioning Family Pension

1. Name of the Government Employee.
2. Father's Name (and also husband's name in the case of a woman Government employee).
3. Religion and Nationality.
4. Last appointment held including name of establishment.
5. Date of beginning of service.
6. Date of ending of service.
7. Substantive appointment held.
8. Pension Rules opted/eligible.
9. Length of continuous qualifying service prior to death.
10. Pay.
11. Amount of family pension admissible.
12. Date from which pension is to commence.
13. Place of payment (Government Treasury or Sub-Treasury).

The undersigned having satisfied himself of the above particulars of late Shri/Smt. _____, hereby orders the grant of a family pension of Rs. _____ per mensem to Shri/Smt. _____ which may be accepted by the Accountant-General, Punjab as admissible under the rules.

Signature and Designation of the
Sanctioning Authority.

FORMS

FORM PEN. 18

[Referred to in rule 6.18-A(iv)]

From

The Treasury Officer,

To

The Accountant General (A&E), Punjab,

Subject: Intimation regarding death of pensioner who opted the New Family Pension Scheme.

Sir,

I am to inform you that Shri/Smt. _____ holder of PPO No. _____ who was drawing his/her pension from this Treasury/Sub-Treasury died on _____.

2. The first payment of family pension @ Rs. _____ (Rupees _____ only) per month has been made to _____ for the period from _____ to _____ in T. V. No. _____ dated _____ and included in the _____ pension payment schedule, for _____, 20 . Before making the said payment, the death certificate, the application form and other documents prescribed in Government of _____ Office Memorandum/Letter No. _____, dated _____ have been obtained from the claimant and accepted after necessary scrutiny. I have also personally satisfied myself about the identity and title of the claimant.

Yours faithfully,

Treasury Officer.

FORMS

FORM PEN. 19

[Referred to in rule 7.26(1)]

Form of application for permission to accept commercial employment within a period of two years after retirement.

1. Name of the Official (in block letters)
2. Date of retirement
3. Particulars of the Department/Offices in which the official served during the last 5 years preceding retirement (with duration) –

Name of Department/Office	Post held	Duration	
		From	To

4. Post held at the time of retirement and period for which held.
5. Pay scale of the post and pay drawn by the official at the time of retirement.
6. Pensionary benefits.

Pension expected/sanctioned (commutation, if any, Gratuity, if any, should be mentioned)

-
7. Details regarding commercial employment proposed to be taken up.
 - (a) Name of the firm/company/co-operative society, etc.
 - (b) Products being manufactured by the firm/type of business carried out by the firm, etc.
 - (c) Whether the official had during his official career, any dealings with the firm, etc.
 - (d) Duration and nature of the official dealings with the firm.
 - (e) Name of the Job/post offered.

FORMS

(f) Whether post was advertised, if not, how was offer made (attach newspaper cutting of the advertisement, and a copy of the offer of appointment, if any).

(g) Description of duties of the job/post.

(h) Remuneration offered for post/job

(i) If proposing to set up a practice, indicate—

(a) Professional qualification in the field of practice.

(b) Nature of proposed practice

8. Any information which the applicant desired to furnish in support of his request.

9. Declaration:

I hereby declare that—

- (i) the employment which I propose to take up will not bring me into conflict with Government;
- (ii) my commercial duties will not be such that my previous official positions or knowledge or experience under Government could be used to give my proposed employer an unfair advantage;
- (iii) my commercial duties will not involve liaison or contract with the Government departments.

Dated:

Signature of the Applicant
Address_____

FORMS

FORM P. F. 1

[Referred to in Rules 13.7(3)]

FORM OF NOMINATION

When the subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is member of my family as defined in Rule 13.2 of the Punjab Civil Services Rules, Volume II, to receive the amount that may stand to my credit in the Punjab General Provident, in the event of my death before that amount has become payable, or having become payable, has not been paid:

Name and address of nominee	Relationship with subscriber	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person or persons, if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber or on the happening of the contingencies specified in the previous column.

Dated this _____ day of _____ 20_____.

Signature of subscriber _____

Two witnesses to signature: –

(1) _____.

(2) _____.

FORMS

FORM P.F. I-A

[Referred to in Rules 13.7(3)]

FORM OF NOMINATION

When the subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in Rule 13.2 of the Punjab Civil Services Rules, Volume II, to receive the amount that may stand to my credit in the Punjab General Provident Fund in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names: –

Name and address of nominee.	Relationship with subscriber	Age	*Amount of share of accumulations to be paid to each.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the persons, if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber or on the happening of the contingencies specified in the previous column.

Dated this _____ day of _____ 20_____ at _____

Signature of the subscriber _____

Two witnesses to signature:

(1) _____

(2) _____

***Note:**–This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

FORMS

FORM P. F. I-B

[Referred to in Rules 13.7(3)]

FORM OF NOMINATION

When the subscriber has no family and wishes to nominate one person

I, having no family as defined in Rule 13.2 of the Punjab Civil Services Rules, Volume II, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Punjab General Provident Fund, in the event of my death, before that amount has become payable, or having become payable has not been paid: –

Name and address of nominee.	Relationship with subscriber	Age	*Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person or persons, if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber or on the happening of the contingency or contingencies specified in the previous column.

Dated this _____ day of _____ 20____ at _____.

Signature of the subscriber _____

Two witnesses to signature:–

(1) _____

(2) _____

Note.–Where a subscriber who has no family makes a nomination he shall specify in the columns that the nomination shall become invalid in the event of his subsequently acquiring a family.

FORMS

FORM P.F. 1-C

[Referred to in Rules 13.7(3)]

FORM OF NOMINATION

(When the subscriber has no family and wishes to nominate more than one person)

I, having no family, as defined in Rule 13.2 of the Punjab Civil Services Rules, Volume II, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Punjab General Provident Fund, in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

Name and address of nominee.	Relationship with subscriber	Age	*Amount of share of accumulations to be paid to each.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person or persons, if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber or on the happening of the contingency or contingencies specified in the previous column.

Dated this _____ day of _____ 20____ at _____

Signature of the subscriber _____

Two witnesses to signature: –

(1) _____

(2) _____

***Note:**—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

Note:—Where a subscriber who has no family makes a nomination he shall specify in the columns that the nomination shall become invalid in the event of his subsequently acquiring a family.

Forms P.F. 3 to 8 omitted.

FORMS

FORM G. I. No. 1

[Referred to in paras 4(4) and 17(1) of Appendix VII]

GOVERNMENT OF PUNJAB

Department_____ Office_____

Dated _____

MEMORANDUM

Shri._____ a Group_____ employee has been enrolled as a member of the Punjab Government Employees' Group Insurance Scheme, 1982 with effect from_____. His monthly subscription of Rs._____ (Rupees_____) shall be deducted from his salary commencing from the month of_____ and he will be eligible to the benefits of the Group Insurance Scheme appropriate to Group _____ with effect from_____.

*Shri_____

(Head of Office)

*Name and Designation of the employee.

A copy is forwarded to the Department of Finance (G.I.) for information.

(Head of Office)

FORMS

FORM G. I. No. 2

[Referred to in paras 5(2) and 17(1) of Appendix VII]

GOVERNMENT OF PUNJAB

Department_____ Office_____

Dated_____

MEMORANDUM

*Shri_____ member of the Scheme has been promoted on a regular basis, from Group_____ to Group _____ with effect from_____. His monthly subscription for the Punjab Government Employees' Group Insurance Scheme, 1982 shall be raised from Rs._____ to Rs._____ from the month of_____ and he will be eligible to the benefits of the Group Insurance Scheme appropriate to Group_____ with effect from_____.

(Head of Office)

To

*Shri_____.

*Name and designation of the employee.

FORM G. I. No. 3

[Referred to in paras 4(2) and 17(2) of Appendix VII]

To

(Head of Office)

Sir,

I have read and understood/I have been explained the details of the new Punjab Government Employees Group Insurance Scheme, 1982. I opt to remain out of this Group Insurance Scheme.

Yours Faithfully,

Place:

()

Date:

Name and designation of the employee

FORMS

FORM G. I. No. 4

[Referred to in para 11(1) of Appendix VII and (XII) (1) of Appendix VIII]

To

*The _____

Subject: Application for payment of accumulation under the Punjab Government Employees Group Insurance Scheme, 1982.

Sir,

I have been a member to the Punjab Government Employees Group Insurance Scheme, 1982, since** _____. I have retired from service after attaining the age of _____ years/I have ceased to be in employment of the Punjab Government with effect from _____. I was holding the post of _____ before retirement/cessation of employment with the Punjab Government. I request that the amount due to me under the Punjab Government Employees Group Insurance Scheme, 1982, may be paid to me.

Yours faithfully,

()

*Designation and Address of the Head of Office.

**Month and year of becoming a member of the Group Insurance Scheme may be indicated here.

FORMS

FORM G. I. No. 5

[Referred to in para 11(2) of Appendix VII and para (XII) (2) of Appendix VIII]

GOVERNMENT OF PUNJAB
DEPARTMENT _____ OFFICE _____

Letter No. _____

Date _____

To

* _____

Subject:- Payment of the amount due under the Punjab Government Employees Group Insurance Scheme, 1982.

Dear Sir/Madam,

I am directed to state that the late Shri _____ had nominated you for payments of full/ _____ per cent of amounts due under the Punjab Government Employees Group Insurance Scheme, 1982. You are, therefore, requested to submit an application in the enclosed form (G. I. No. 6) for arranging payment.

Yours faithfully,

()

*Name and address of the nominee.

FORMS

FORM G. I. No. 6

[Referred to in para No.11 (2) of Appendix VII and para (XII) (2) of Appendix VIII]

To

*The _____

Subject: Application for payment of amount due to late Shri _____ under the Punjab Government Employees Group Insurance Scheme, 1982.

Sir,

With reference to your letter No. _____ dated _____, I hereby request that the full/ _____ per cent of amount falling due on account of the death of Shri _____ under the Punjab Government Employees' Group Insurance Scheme, 1982 may be paid to me.

Yours faithfully

()

*Name and address of the office from where Form G.I. No. 5 is received.

FORMS

FORM G.I. No. 7

[Referred to in para 19(5) of Appendix VII]

Nomination for benefits under the Punjab Government Employees Group Insurance Scheme, 1982, when the Government employee has no family and wishes to nominate one person or more than one person.

I having no family hereby nominate the person/persons mentioned below and confer on him/them the right to receive to the extent specified below any amount that may be sanctioned by the Punjab Government under the Punjab Government Employees Group Insurance Scheme, 1982, in the event of my death while in service or which having become payable on my attaining the age of superannuation may remain unpaid at my death:—

Name and address(es) of nominee/nominees	Relationship with Government employee	Age	*Share of amount to be paid to each nominee.	Contingencies on the happening of which the nomination shall become invalid.	**Name, address and relationship of the person, if any, to whom the right of the nominee shall pass on in the event of his predeceasing the Government employee.
1	2	3	4	5	6
1.					
2.					
3.					

Dated this _____ day of _____ 20_____ at _____

Signature of two witnesses:—

1. _____
2. _____

Signature of Government employee.

N.B. The Government employee should draw line across the blank space below his last entry to prevent the insertion of any names after he has signed.

*This column should be filled in such a way so as to cover the whole amount that may be payable under the Group Insurance Scheme.

**Where a Government employee who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

FORMS

FORM G. I. No. 8

[Referred to in para 19(5) of Appendix VII]

Nomination for benefits under the Punjab Government Employees' Group Insurance Scheme, 1982, when a Government employee has a family and wishes to nominate one member or more than one member thereof.

I hereby nominate the person(s) mentioned below, who is/are member(s) of my family, and confer on him/them the right to the extent specified below to receive any amount that may be sanctioned by the Punjab Government under the Punjab Government Employees' Group Insurance Scheme, 1982, in the event of my death while in service or which having become payable on my attaining the age of superannuation may remain unpaid at my death:-

Name and address(es) of nominee/nominees	Relationship	Age	*Share of amount to be paid to each nominee.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right of the nominee shall pass on in the event of his predeceasing the Government employee.
1	2	3	4	5	6
1.					
2.					
3.					

N.B. The Government employee should draw line across the blank space below his last entry to prevent insertion of any names after he has signed.

Dated this _____ day of _____ 20 _____ at _____.

Signature of two witnesses:

1. _____
2. _____

Signature of Government employee.

*This column should be filled in such a way so as to cover the whole amount that may be payable under the Group Insurance Scheme.

FORMS

FORM G. I. No. 9

[Referred to in para 18 of Appendix VII and sub-para (i) of para (II) of Appendix VIII]

THE PUNJAB GOVERNMENT EMPLOYEES GROUP INSURANCE SCHEME, 1982,
REGISTER OF MEMBERS

GROUP

Section-I. Particulars of Government employees subscribing to the Insurance Fund only

Serial No.	Name	Designation.	Date of Birth	Date of Appointment	Date of Commencement of subscription	Date of promotion to higher Group/ date of transfer to other Department	Date of Death	Remarks
1	2	3	4	5	6	7	8	9

Section-II. Particulars of Employees subscribing to both Insurance Fund and Savings Fund

Serial No.	Name	Designation.	Date of Birth	Date of Appointment	Date of Commencement of subscription	Date of promotion to higher Group/ date of transfer to other Department	Date of cessation of membership and reason therefor	Remarks
1	2	3	4	5	6	7	8	9

FORMS

FORM G. I. No. 10

[Referred to in sub-para (a) of para (III) of Appendix VIII]

SCHEDULE OF RECOVERIES

Recoveries creditable to Savings Fund/Insurance Fund under Head of Account “8011–Insurance and Pension Funds–Minor Head–107–Punjab State Government Employees’ Group Insurance Scheme–Sub-Heads (01) Insurance Fund–(02) Savings Fund”

Name of Office:

Month:

Serial No	Group of Service	Name of Subscriber	Amount of Subscription	Remarks
1.	A			
2.	B			
3.	C			
4.	D			
		Total		

Signature of Drawing and Disbursing Officer

FORMS

FORM G.I. No. 11

[Referred to in para (V) (a) and (VI) of Appendix VIII]

Saving Fund/Insurance Fund Subscriptions Account for the period 1-1-20 ...to 31-12-20..

- (1) Account No:
 (2) Group of Service:
 (3) Name of Employee:
 (4) Date of Membership:
 (5) Subscriptions:

Month	Treasury Voucher No. and date	Amount of subscription deducted (in rupees)
1	2	3
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total		

(6) Amount of subscriptions transferred to the Insurance Fund: Rs._____.

(7) Amount of subscriptions credited to the Savings Fund during the current year [Item No.5 (-) Item No.6]. Rs._____

FORMS

-
- (8) Opening balance of the Savings Fund (including interest) Rs._____.
- (9) Interest allowed at the end of the year on the Savings Fund Credits. Rs._____
- (10) Closing balance of the Savings Fund (Including interest (item No. (7)+(8)+(9)]. Rs._____
- (11) Payment, if any, made during the year –
- (a) to the employee from the Savings Fund. Rs._____ Dated_____
- (b) In respect of employee from the Insurance Fund. Rs._____ Dated_____

Drawing and Disbursing Officer

FORMS

FORM G. I. No. 12

[Referred to in para (V) (c) of Appendix VIII]

ANNUAL STATEMENT OF GROUP INSURANCE SCHEME ACCOUNT

Department/Office_____

For the scheme year ending the 31st December, 20_____ Rate of Interest_____

Name of the Subscriber	Account No.	Opening Balance	Amount credited to the Savings Fund during the year	Interest allowed during the year (on amount mentioned in Col. Nos. 3 and 4)	Total amount (Col. Nos. 3, 4 and 5)
1	2	3	4	5	6

Signature:

Name:

Designation:

Date:

Notes:

(1) File nomination, if not already done.

(2) In the case of any discrepancy/missing credits, concerned Drawing and Disbursing Officer may be consulted.

(3) The yearly premium credited to the Insurance Fund during the year was at the rate of _____ out of the total subscription of Rs._____.

FORMS

FORM G. I. No. 13

[Referred to in para (VI) of Appendix VIII]

**BROADSHEET FOR THE PERIOD 1-1-20... TO 31-12-20...SHOWING
SUBSCRIPTION AND PAYMENTS**

Name of Office/DDO Amount of Subscription recovered Group-wise (Referred to in para 5)					Recovery of Premium of Insurance cover (Referred to in para 6)				Payment made				
Month	Number of employees ABCD	Amount recovered	Credit to Savings Fund	Credit to Insurance Fund	Number of employees ABCD	Amount Recovered	Interest recovered on account of delayed payment of subscription (Referred to in para 9(6) and 9(7))	Grand total Columns 3,7 and 8.	Number of employees ABCD	Amount out of Savings Fund	Out of Insurance	Grand Total Columns 12 and 13	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
January													
February													
March													
April													
May													
June													
July													
August													
September													
October													
November													
December													

Drawing and Disbursing Officer

FORMS

FORM G. I. No. 14

[Referred to in para (IX) of Appendix VIII]

INSURANCE FUND ACCOUNTS

Name of Office:

Reference to the period	Particulars of service i.e. A, B, C and D	Number of Employees	Contribution to Insurance Fund	Treasury Voucher No. and Date	Name of beneficiary	Date of Death	Amount paid	Reference to Treasury Voucher No. and Date	Initials of Drawing and Disbursing Officer
1	2	3	4	5	6	7	8	9	10

FORMS

FORM G.I. No. 15

[Referred in para (XII)(3)of Appendix VIII]

RECEIPT BILL

Received the sum of _____ () being the total of entitlement of Rs. _____ from the Insurance Fund/and/or Rs. _____ from the Savings Fund accrued to _____ Name _____ Designation _____ Group A/B/C/D under the Punjab Government Employees Group Insurance Scheme, 1982.

Signature(s) of Recipients(s)

Dated:

(Name(s) in Block letters)

FOR USE IN DEPARTMENTAL OFFICE

(a) Relevant biodata of the member

1. Type of group of the member (i.e. lowest group) viz D/C/B/A on initially joining the scheme on _____ 19__.

2. Year of acquiring membership of higher group: –

(i) C _____ 19__

(ii) B _____ 19__

(iii) A _____ 19__

(b) Countersigned for payment or Rs. _____ (Rupees _____) to claimant(s) . –

(c) The expenditure will be chargeable to the following Heads of Accounts:–

(i) “8011–Insurance and Pension Funds–Minor Head–107–Punjab State

FORMS

Government Employees Group Insurance Scheme-Sub Head-01:-Insurance Fund.”

and/or

(ii) “8011-Insurance and Pension Fund-Minor Head-107-Punjab State Government
Employees Group Insurance Scheme-Sub-Head-02: -Savings Fund.”

Signature

Date

Designation of D.D.O

FOR USE IN TREASURY OFFICE

Passed for payment of Rs. _____ (Rupees _____) payment through Cheque
(s) No.(s) _____ Dated _____.

Treasury Officer

Delete whichever is inapplicable.

FORMS

FORM G. I. No. 16

[Referred to in Para (XIII) of Appendix VIII]

Statement of figures of accounts of Punjab Government Employees Group Insurance Scheme, 1982 booked in Treasury_____and reconciled by Drawing and Disbursing Officers with the Accounts booked with the Treasury Officer for the quarter ending _____20_____.

Serial No.	Head of Department/ Head of Office/ Drawing and Disbursing Officer	Number of subscribers with particulars of service i.e. A, B, C and D to SF/IF and IF only.		8011-Insurance and Pension Fund (Receipt)			8011-Insurance and Pension Fund (Out go)			Remarks
				Saving Fund	Insurance Fund	Total	Saving Fund	Insurance Fund	Total	
1	2	3	4	5	6	7	8	9	10	11
1	X	A								
		B								
		C								
		D								
		Total								

Drawing and Disbursing Officer or

Treasury Officer

FORMS

FORM G. I. No. 17

[Referred to in para (XVII) (2) (ii) of Appendix VIII]

Part-I-Consolidated annual statement showing month-wise/group-wise total number of subscribers and total amount of subscriptions recovered under the Group Insurance Scheme during the year ending the 31st March _____ and credited to the Saving Fund/Insurance Fund.

DEPARTMENT/OFFICE _____

Part-I
Number of Subscribers

Month	Number of members subscribing to Savings Fund and Insurance Fund				Total	Number of employees subscribing to Insurance Fund only (being not members of the scheme.)				
	(Group-wise)					Total	(Group-wise)			
	A	B	C	D			A	B	C	D
1	2					3				
April										
May										
June										
July										
August										
September										
October										
November										
December										
January										
February										
March										

FORMS

Part II—Amount recovered and credited to Sub-Heads under Major Head 8011—Insurance and Pension Funds—Minor Head—107—Punjab State Government Employees Group Insurance Scheme

Month	Amount of subscription recovered in respect of members under Col. (2) of Part I	Interest recovered, if any, for late subscription	Amount of subscription recovered in respect of employees not yet members under Col. 3 of Part I	Amount credited to Saving Fund including interest (in Rs.)	Amount Credited to Insurance Fund (in Rs.)	Remarks
4	5	6	7	8	9	10
	Savings Fund		Insurance Fund			
	A,B,C D Total		A,B,C D Total			
April						
May						
June						
July						
August						
September						
October						
November						
December						
January						
February						
March						

*Any amount of interest recovered in respect of overdue subscription may be credited to 'Sub-Head Savings Fund' under Major Head 8011—Insurance and Pension Fund—Minor Head—107—Punjab State Government Employees Group Insurance Scheme in State receipts and is not to be credited in the Saving Fund Account of the members.

FORMS

FORM G. I. No. 18

[Referred to in Para (XVII) (2) (ii) of Appendix VIII]

(PAYMENTS)

Part I—Consolidated annual statement showing month-wise/group-wise total number of members/payees and total amount of payments made (as debited to Savings/Insurance Fund) during the year ending 31st March, _____.

Name of the Head of Department/Office _____

Part-I—Number of employees/payees

Month	Number of members to whom payments have been made					Number of employees not yet members to whom payments have been made				
	(Group-wise)				Total	(Group-wise)				Total
	A	B	C	D		A	B	C	D	
1	2					3				
April										
May										
June										
July										
August										
September										
October										
November										
December										
January										
February										
March										
Total										

FORMS

Part II—Amount paid and debited to Sub-Head under Major Head 8011—Insurance and Pension Funds—Minor Head—107—Punjab State Government Employees Group Insurance Scheme.

Month	Amount of Principal paid to the members shown in Col. 2 out of Savings Funds (excluding interest)				Amount of interest on Savings Fund paid to members	Amount of payments made to members and non-members shown in Col. 2 and 3 of Part I out of Insurance Fund				Amount debited to Savings Fund including interest	Amount debited to Insurance Fund	Remarks		
	(Group-wise)					Total	(Group-wise)						Total	
	A	B	C	D			A	B	C					D
4	5				6	7				8	9	10		
April														
May														
June														
July														
August														
September														
October														
November														
December														
January														
February														
March														

Note.—In remarks column, reason for payment made i.e. demise, retirement, resignation etc. may be mentioned.

FORMS

Form G. I. No. 19

(Referred to in para 11 (1) of Appendix VII)

GOVERNMENT OF PUNJAB
DEPARTMENT OF _____

Order

Sanction is hereby accorded to draw and disburse the amount of Rs. _____ (Rupees _____ only) from the Savings Fund alongwith interest admissible under para 11(1) of Appendix VII referred to in rule 15.1(b) of the Punjab Civil Services Rules Volume II to Shri/Smt. _____ who has retired on superannuation on _____ after attaining the age of 58/60 years or who has resigned/dismissed/removed from Government Service etc. with effect from _____.

2. It is certified that Shri/Smt. _____ retired/resigned/dismissed/removed from Government Service was enrolled as a member under Group A/B/C or D of the Punjab Government Employees Group Insurance Scheme, 1982 with effect from the _____ and deduction at the rate of Rs. _____ per month has actually been made from her/his salary from the month of enrolment _____ to the month of retirement /resignation/dismissal/removal from Government service etc. _____.

3. The expenditure will be chargeable to the Head of account "8011-Insurance and Pension Funds-Minor Head-107-Punjab State Government Employees Group Insurance Scheme-Sub Head -02-Savings Fund.

Dated

Signature:

Designation of the Head of Office.

Note. - Copies shall be endorsed to all concerned.

FORMS

Form G. I. No. 20 (i)

(Referred to in para 11(2) of Appendix VII)

GOVERNMENT OF PUNJAB
DEPARTMENT OF _____

ORDER

Sanction is hereby accorded to draw and disburse the amount of Rs. _____ (Rupees _____ only) from the Savings Funds along with interest admissible under para 11(2) of Appendix VII referred to in rule 15.1(b) of the Punjab Civil Services Rules, Volume II, to Shri/Smt. _____ the nominee/legal heir(s) of late Shri/Smt. _____ who expired on _____.

2. It is certified that Shri/Smt. _____ (deceased) was enrolled as a member under Group A/B/C or D of the Punjab Government Employees Group Insurance Scheme, 1982 with effect from the _____ and deduction at the rate of Rs. _____ per month has actually been made from his/her salary from the month of enrolment _____ to the month of death.

3. The expenditure will be chargeable to the Head of Account "8011-Insurance and Pension Funds-Minor Head-107 Punjab State Government Employees Group Insurance Scheme-Sub Head-02 Savings Fund

Dated

Signature

Designation of the Head of Office.

Note. - Copies shall be endorsed to all concerned.

FORMS

FORM G. I. No. 20 (ii)

(Referred to in para 11 (2) of Appendix VII)

GOVERNMENT OF PUNJAB
DEPARTMENT OF _____

ORDER

Sanction is hereby accorded to draw and disburse the amount of Rs. _____ (Rupees _____ only) from the Insurance Fund admissible under para 11(2) of Appendix VII referred to in rule 15.1(b) of the Punjab Civil Services Rules, Volume II, to Shri/Smt. _____ the nominee/legal heir(s) of late Shri/Smt. _____ who expired on _____.

2. It is certified that Shri/Smt. _____ (deceased) was enrolled as a member under Group A/B/C or D of the Punjab Government Employees Group Insurance scheme, 1982 with effect from the _____ and deduction at the rate of Rs. _____ per month has actually been made from his/her salary from the month of enrolment _____ to the month of death.

3. The expenditure will be chargeable to the Head of account "8011-Insurance and Pension Funds-Minor Head-107-Punjab State Government Employees Group Insurance Scheme-Sub Head-01-Insurance Fund"

Dated

Signature:

Designation of the Head of Office.

Note. - Copies shall be endorsed to all concerned.

 FORMS

FORM G. I. No. 21

(Referred to in para (XIV) of Appendix VIII)

Date of Joining Govt. Service	Date of Admission to the G.E.G.I. Scheme	Group to which admitted	Rate of monthly contribution (Rs.)	Period		Events with exact date affecting Cols. (3) and (4)	Remarks
				From	To		
1	2	3	4	5		6	7

INDEX

This index has been compiled solely for the purpose of assisting reference. No expression used in it should be considered in any way interpreting the rules.

A	Rule
Abolition of posts–	
Amount of pension of a Government employee who accepts re-employment instead of a compensation pension	6.5
Discharge of one Government employee to make room for another is not an–	5.2, Note 1
In the case of a Government employee on leave–takes effect on expiry of leave	5.9, sub-rule 2
Notice of discharge on–to be given	5.9
Reduction of pay as a part of a scheme of revision equivalent to–	5.2
Service of a Government employee employed on special duty on–qualifies for pension	3.27
Three month's notice of–to be given	5.9, sub-rule 2
Additional Pension(s)	
Grant of old age allowance	6.18
Advances–	
–from the Punjab General Provident Fund	13.14
Authorities competent to sanction–from the Punjab General Provident Fund	13.14, Note 2
Recovery of–from Punjab General Provident Fund	13.15
Age–	
–at which service qualifying for pension begins	3.8 to 3.9
Amount of pension	6.16
Anticipatory Pension	2.2(c)(1)
Applications for commutation of pension(s) –	
Authorities to which– may be submitted	11.2
Period during which –may be withdrawn	11.10
Report of the Accounts Officer on –	11.4
Apprentice–	
When service as–qualifies or does not qualify for pension	3.23
Arrears of pension–	
–undrawn for more than a year when sanction of authority competent to sanction pension is required to pay–	10.13(b)
Average Emoluments–	
Term–defined	6.24
Calculation of –	9.4(b)(iii)

INDEX

C	Rule
Calculation of–	
Lump-sum payable on commutation of pension	11.5
Fractions of a six-monthly period when taken into account in the–pension	6.1
Claim of Widow–	
–to ex-gratia from Government	2.7, 2.7A
Combination of Posts–	
Pension of a Government employee who has held more than one post	6.9-6.10
Commutation of Civil Pensions–	
A compassionate allowance cannot be commuted	11.1, Note 3
Accounts Officer to whom the application for–may be forwarded for report	11.3
Administrative sanction to–	11. 6
Anticipatory pension to be commuted with the sanction of Finance Department	11.1 (Note 1)
Authorities to whom applications for–may be submitted	11.2
Calculation of lump-sum payable on–	11.5
Extent up to which a pension can be commuted	11.1
Lapse of Administrative sanction to–	11.10
Medical examination of the applicant for–	11.8-11.9
Payment of commuted value should be made at once	11.13-11.14
Payment of commuted value in case of death of the pensioner on or after the date on which commutation became absolute	11.16
Period during which an application for–may be withdrawn	11.10
Report of the Accounts Officer on the application for –	11.4
Sanction to–may be cancelled at any time before payment is actually made	11.12
When–become absolute	11.11
When to be restored.	11.1(2)
Compassionate Allowances–	
May be given to the families of Government employees in special cases	2.5
Compensation Pension–	
Abolition of one of two posts held by a Government employee	5.6
Calculation of pension of a Government employee who has retained –on re-employment	7.23
Conditions of grant of–	5.2 and 5.8
Discharge of a Government employee because of a change in his duties	5.4
Discharge on–to be regulated so as to keep down pension charges	5.7
Discharge on completion of specified term of service	5.6(b)
Government employee discharged to make room for another better qualified	5.2 Note 1
Pay of abolished posts of section-writers and Press employees re-employed after discharge on–	7.13, Note 1
Pension of an employee who accepts re-employment instead of a–	6.5

INDEX

	Rule
Relinquishment of—on re-employment	7.15
Withdrawal of postal duties performed as an extra charge gives no claim to—	5.6(d)
Compensation Gratuity	
Re-employment of a Government employee who has received a —	7.10
Refund of—on re-employment	7.10-7.11
Condonation	
—of interruption in services for pension	4.23
Consent Orders	
—relating to pensions	12.1
—relating to Punjab General Provident Fund	Annexure B and E Chapter XIII
Constant Attendance Allowance—	
Conditions and rate of grant of —	8.33(2)
Court of Wards	
Service paid from the fund of a—estate does not qualify	3.32
D	
Debt—	
Pension inadmissible to a Government employee removed for—	2.5
Definitions—	
—of terms used in Part I of these rules	1.3
—of terms used in the Punjab General Provident Fund Rules	13.2
Delegation Orders—	
Relating to Pension	12.1
Relating to Punjab General Provident Fund	Annexure B and E to Chapter XIII
Discharge—	
Abolition of one of two posts held by one Government employee	5.6
—of a Government employee because of a change in his duties	5.4
—on compensation pension to be regulated so as to keep down pension charges	5.7
—on completion of specified term of service serving under a contract	5.6
—of a Government employee	5.10
Notice of —to be given	2.4(b) and 5.9
Report to competent authority of—on account of change of duties	5.4
Service before—or dismissal	4.20
Dismissal—	
Competent authority reversing an order of —may declare that past service counts	4.20

INDEX

	Rule
District Garden Establishment–	
Service in–does not qualify for pension	2.3, Note 1
E	
Emoluments–	
What–are reckoned for pension	6.19(c)
Examiner (Public Works) –	
Service of an–apprentice qualifies for pension	3.23
Extraordinary Pension(s) –	
Rules for Government employees for grant of wound and–	8.25-8.36
Ex-gratia–	
Grant of –in case of death in harness.	2.7 and Annexure to Chapter II
Grant of – in case of death during performance of duty	8.32
F	
Family–	
Definition of–for grant of death-cum-retirement gratuity	6.16B
–for payment of ex-gratia grant	2.7 and Annexure to Chapter II
–under Family Pension Scheme	6.17(3)
– under Punjab General Provident Fund Rules	13.2(1)(c)
Family Pension(s)	
Grant of– at the enhanced rates in respect of a Government employee who dies in harness.	6.17-A
–Scheme	6.17
Grant of Special –	8.33
–in case of death due to causes attributable to service	8.34(1)
Fees–	
Service paid by–does not qualify	3.33
Fraction–	
–of year when to be reckoned in calculating pensions	6.1
G	
General Revenues–	
Service paid from–qualifies for pension	3.31
Grant-in-aid School–	
Service of a Government employee of–or institution does not qualify	3.16 and Note 4

INDEX

	Rule
Gratuity –	
Amount of Death-cum-retirement gratuity admissible to Government employees	6.16 AA(3)
Conversion of–into a life annuity	10.12 (b) and (c)
Effect on subsequent pension or –or not refunding– on re-employment	7.24
–is not payable in instalments	10.12(a)
–to temporary employees–	6.16-C
Group Insurance Scheme –	
Accounting Procedure of Punjab Government Employees–	Annexure VIII
Application of Punjab Government Employees –	15.2
Definitions of terms used in –	15.1
Punjab Government Employees–,1982	Annexure VII
I	
Incapacity –	
Full pension not to be given when–for further service is only partial	5.12
Medical evidence of–does not necessarily give a claim to invalid pension	5.14
No pension can be granted when–is due to irregular or intemperate habits	5.15
Retention in service of a Government employee who has submitted a certificate of–for further service	5.18, and Note 2 thereunder
Injury(ies)	
Definition of–	8.26(4)
List of – deemed to result in permanent total /partial disablement	Annexure to Chapter VIII
Intemperate Habit –	
Incapacity due to–invalidates claim to pension	5.15
Interest –	
Calculation of–on Punjab General Provident Fund	13.13
Rate of–on Punjab General Provident Fund	13.13(1)
–on delayed payment of gratuity	6.16AA(9), 9.13
Interruption (s) –	
Condonation of–in service for pension	4.23
Invalid Pension –	
Conditions of grant of–	5.11
Effect on subsequent pension on retention of– on re-employment	7.23
Full pension not to be given when incapacity is only partial	5.12
Medical certificate for–elsewhere than in India	5.24
Medical certificate for –in India	5.26
Medical certificate for–not to be given except at the request of head of office	5.19

INDEX

	Rule
Medical certificate of doubtful validity not to be rejected by the Accountant -General	5.25
Medical Officer to be informed of the applicant's age	5.19
Medical certificate for—should be signed by	5.19
Medical evidence of incapacity gives no claim to—	5.14
Medical Officer to be informed of the applicant's age	5.19
Re-employment after retirement on—	7.10, 7.11
Special precautions required in the case of—of Police Officers	5.17 and 5.23
L	
Law Officers—	
When service of—does not qualify for pension	2.4(c)
Leave—	
Authority sanctioning pension may commute absence without—into—without allowances	4.22
Different kinds of—which counts for pension	4.7
Leave out of India—	
Time spent on voyage on recall from—counts as service for pension	4.16
Leave without Allowances –	
—and extraordinary leave not to count for pension	4.7
Local Fund(s) –	
Conditions under which service paid from— administered by Government can be declared by competent authority to count for pension	3.14
Service paid from—does not qualify for pension	3.35
Solvency of—Pension Fund not guaranteed	3.45
Losses—	
Recovery of—caused to Government	2.2(b)
M	
Medical Certificate(s) –	
Attestation of—for invalid pension	5.19
Form of—for pension in India	5.26
Form of—for pension elsewhere than in India	5.24
—of doubtful validity not to be rejected by the Accountant General	5.25
—of incapacity not to be given except on a letter from the applicant's head of office	5.19
—in the case of police officers	5.17 and 5.23
—in the case of Government employees whose age is less than 55 years	5.22
Medical officer to be informed of the age of applicant for—of incapacity	5.19
Service after the date of—of incapacity does not count for pension	5.18
Statement of medical case should accompany a—for invalid pension	5.21
Military Pension(ers) –	
Civil salary on re-employment of—	7.20, 7.21

INDEX

	Rule
Conditions under which a Civil Government employee granted Civil Volunteer terms in the Indian Army may count military service for–	4.14
Re-employment of–	
Pension not affected on –Military pensioners in Civil Service	7.19
Fixation of pay on –military pensioners in civil service	7.20, 7.21
Military Service–	
Counts for civil pension	4.3 to 4.6-A
How treated for pension under Civil Rules	4.1
Misconduct–	
Pension inadmissible to a Government employee removed for–	2.5
Pension may be withheld or withdrawn in cases of–	2.2(a)
Municipality–	
Service of a municipal servant does not qualify	3.16
When Government is not concerned with the pension of Municipal Police	3.15(a)
When service of Municipal Police qualifies	3.15(b)
N	
Notice of Discharge–	
–on abolition of a post	5.9
–to a person employed temporarily	2.4
When pension of Government employee who has received gratuity in lieu of–begins	10.1, Note 1
O	
Officiating Service–	
When–of a Government employee without a substantive post qualifies	3.17 & 3.17A
P	
Payment of Commuted Value of Pension–	
– shall be made as expeditiously as possible.	11.14
–in case of death of a pensioner in or after the date on which commutation becomes absolute	11.16
Place of–	11.15
Payment of Pension(s) –	
Communication of authority to make–	10.11
Date from which the–begins	10.1-10.3
–arrears of pensions	10.13
Pension(s) –	
Additional service for–allowed for professional or special qualifications	4.2
Age at which service qualifying for–begins	3.8-3.9
Amount of–how regulated	6.1
A Government employee cannot earn two–in the same office at the same time	2.8
Calculation of average emoluments for–	6.24
Calculation of–of a Government employee who has held more than one post	6.9-6.10

INDEX

	Rule
Calculation of—to the next higher rupee	6.2
Cases in which—is inadmissible	2.4-2.5
Competent authority may rule that service does not qualify for—	2.3
Completion of—papers	9.5
Condonation of interruption for—	4.23
Date of beginning of—	10.1-10.3
Forwarding of —papers to Accountant General, Punjab	9.6
Grant of — to dependents of private individuals	8.38
Duty out of India counts for—	4.13
Emoluments and average emoluments for—	6.19-C & 6.24
Extent of application of—Rules	1.1
Extent to which leave counts as service for—	4.7
Fractions of a year when taken into account in calculating—	6.1
Full—not granted for partial incapacity	5.12
Government employee transferred to non-Pensionable service cannot be given—or gratuity admissible to him for qualifying portion of his Service until he actually retires from Government service	5.3
Grant of—in cases where no—or gratuity is admissible	5.6
New Service does not count for a separate—	7.22
No— can be granted for incapacity due to irregular intemperate habits	5.15
Overstayal of leave does not count for—	4.10
Officiating service of a Government employee without a substantive appointment counts for—	3.17
Past service of a reinstated Government employee may be allowed to count for—	4.20
Preparation of — papers	9.3
Provisional—	9.9, 9.14, 6.28
—fixed in rupees	6.3
—of Municipal and cantonment policeman	3.15
Recovery from—on account of losses caused to Government	2.2(b)
Re-employment of pensioners	7.2
Revision of—after authorisation	9.15
Service of an apprentice does not count for—	3.23
Service on an establishment the duties of which are not continuous qualifies for—	3.18
Service paid from Trust funds does not qualify for—	3.32
Service in the Additional Police if followed by confirmation without break counts for	3.13, Note
Service paid from Local Funds does not qualify for—	3.35
Service paid from the General Revenues qualifies for—	3.31

INDEX

	Rule
Service paid by fees or commission does not qualify for–	3.33
Service paid by grant of tenure in land does not qualify for–	3.34
Service on piece-work how treated for–	3.28
Service pensionable under military rules may be allowed to count for– under these rules	4.3
Solvency of Local Funds– not guaranteed	3.45
Source of remuneration, a condition of qualification for–	3.30
Stages for completion of –papers	9.4
Time spent on voyage on recall from leave out of India counts for–	4.16
Time spent under training counts for–	4.12
Two Government employees may not simultaneously count service for–in respect of the same office	2.8 (b)
Verification of service for–	9.4
Withdrawal of–for misconduct	2.2(a)
Piece-work–	
Service on–how treated for pension	3.28
Police	
Medical certificate not to be given to–men except at official request	5.23
Particular care enjoined in the examination of Policemen for invalid pension	5.23
–Service in the battalions of Indian Army counts	4.15
Special provisions for–	3.15
When–pensions are a military charge	3.15, Note
Press employee(s) –	
Average emoluments for pension of–employees	6.24(8) and Notes thereunder
Pay of the appointment of a –re-employed	7.13, Note 1
Service for pension of–paid by piece-work	3.28
Preparation	
– of list of Government employees due for retirement	9.1
–of pension papers	9.3
Provisional Pension–	
–when and how to be granted and the rate thereof.	9.9, 6.28
–where departmental or judicial proceedings may be pending	9.14
Punjab General Provident Fund–	
Advances(re-fundable) from–and their recovery	13.14-13.15
Advances (Non-refundable) from–and conditions of grant	13.29-D to 13.29-L
Conditions and rates of subscription to–	13.9
Date on which the amount at the credit of the subscriber in–becomes payable	13.28-13.29

INDEX

	Rule
Deposit Linked Insurance Scheme	13.28-A
Definitions of certain terms used in the–Rules	13.2
Extent of application of–Rules	13.4
Form of nomination for the right to receive money in case of subscriber’s death	13.7
Interest on subscriptions to–	13.13
Person to whom the amount at the credit of subscriber in the –becomes payable	13.30-13.31
Procedure rules in respect of –	13.34-13.37
Subscriber’s account to be prepared	13.8
Subscriptions to–shall be paid by deduction from emoluments	13.12
Q	
Qualifying Service–	
Appointment by Government, Necessary condition of–	3.16
Beginning of–	3.8
Conditions of–	3.12
Establishment, the duties of which are not continuous	3.18
Full pension to be granted to a Government employee who renders –of 25 years.	6.16-A
Full pension to be granted to the members of P.C.S.(Judicial) after rendering –of 20 years.	6.16-A Exception
Officiating temporary service followed by confirmation without breaks counts–	3.17
Service paid from contract allowance is not–	3.16, Note 1
Source of remuneration, a condition of–	3.30
When service as work-charged and the service paid from contingencies count as –	3.17 Note 3
When adhoc service rendered by a Government employee may be counted as –	3.17 Note 4
Service rendered beyond the date of retirement on superannuation in terms of rule 3.26 of Pb.C.S.R. Volume I, Part I does not count as –	3.17-A(x)
R	
Railway Police–	
Position of–as regards pension	3.15(c)
Recall from leave–	
Time spent in voyage on–out of India counts for pension	4.16
Recovery(ies) –	
Adjustment and –of dues pertaining to Government accommodation	9.17
Adjustment and –of dues other than dues pertaining to Government accommodation	9.18
–from pension on account of losses caused to Government	2.2(b)
–of advances from the Punjab General Provident Fund	13.15
–and adjustment of Government dues	9.16

INDEX

	Rule
Reduction–	
Discharge on–of Establishment to be regulated so as to keep down pension charges	5.7
Re-employment–	
Attention of the re-employed pensioners to be drawn to the provisions of Chapter VII.	7.3
Civil salary of military officers, how affected on–Effect of not ceasing to draw compensation pension	7.15
On– of a military pensioner, pension in civil department will not be affected by military pension	7.19
Effect on subsequent pension on retention of compensation or invalid pension on–	7.23
Gratuity not refunded on–effect on subsequent pension	7.24
New service after–does not count for a separate pension	7.22
Particulars to be supplied to Accountant- General on–	7.2
Pay on–	7.18
–after compensation gratuity	7.10-7.11
–after compensation pension	7.13-7.15
–after invalid pension	7.16
–after superannuation and retiring pension	7.17-7.18
–of military officers	7.19-7.21
Refund of gratuity granted in lieu of notice of discharge on–	7.11
Retirement with a view to–	7.1
Second pension of Government employee who accepts–instead of a compensation pension	6.5
Wound and extraordinary pension not to be taken into consideration in fixing pay on–	7.4
Refund–	
–of compensation gratuity	7.10-7.11
–of compensation pension	7.13
Re-instatement–	
Dismissal followed by–, effect on pensionable service	4.20
Retiring Pension–	
General rule regarding –	5.32
Re-employment after retirement on–	7.17
Rules–	
Commutation of civil pension–	11.1-11.17
Extent of application of pension–	1.1
Pension–applicable to Government employees transferred from service to which these rules are not applicable	1.1(b)
Punjab General Provident Fund–	13.1-13.37
Punjab Group Insurance Scheme–	15.1-15.4,

INDEX

	Rule
Wound and extraordinary pension–applicable to Government employees	8.25-8.36
S	
Service Gratuity–	6.16
Secretariat Pay–	
Emoluments include –	6.19-C Explanation
Settlement–	
When service in–establishment qualifies for pension–	3.29 and Notes
Special Family Pension	
Conditions of Grant and rate of –	8.33
Special Pay–	
Emoluments include –	6.19-C
Superannuation Pension–	
Re-employment after retirement on–	7.17
Term-defined	5.27
Suspension–	
When period of –does not count for pension	4.20(b)
T	
Temporary Service–	
Competent authority may allow–to count for pension	3. 13
Service in establishments, the duties of which are limited to fixed periods in each year	3.18
When service in Survey and Settlement Departments– is not qualifying	3.29
Tenure in Land–	
Service paid by the grant of a–does not qualify for pension	3.34
Training–	
Time spent in–counts for pension	4.12
Transfer–	
–to non-qualifying service under Government does not entail forfeiture of past service–	3.17 (A)
Transit–	
Time occupied in–from one post to another does not entail forfeiture of past service	3.17(A)
Treasury Subordinates–	
Service of–appointed by treasurers on their own responsibility does not qualify for pension	3.16, Note 1
W	
Wound and other Extraordinary Pensions–	
–Rules applicable to Government employees	8.25-8.36

**GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE**

THE PUNJAB CIVIL SERVICES RULES

Volume II



**(Rules relating to Pensions, Provident Funds and
General Insurance Scheme)**

(Fourth Edition)

(Corrected upto 31st January, 2016)

Issued by the authority of Government of Punjab, Department of Finance

CHANDIGARH

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Preface to the Fourth Edition

This edition of the Punjab Civil Services Rules, Volume II incorporates all amendments made upto the 31st January, 2016.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

Dated Chandigarh,
The 18th February, 2016.

D. P. REDDY,
Additional Chief Secretary,
Government of Punjab,
Department of Finance.

PREFACE (Third Edition 1984)

This edition of the Punjab Civil Services Rules, Volume II incorporates all amendments made up-to the 31st March, 1984.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

Dated, Chandigarh,
the 3rd July, 1984.

G. BALAKRISHNAN,
Secretary to the Government, Punjab,
Department of Finance.

PREFACE TO THE SECOND EDITION 1977

This is an up-to-date compilation of the Punjab Civil Services Rules, Volume II. All the corrections and amendments made to the various rules upto 15th May, 1977 have been incorporated in it. The matter which had become obsolete with the passage of time has been omitted. Pension and family pension rules have been largely rationalised, re-seaped and liberalised. The Family Pension Scheme, 1964, liberalised from time to time, has now been incorporated in the main rules in Chapter VI. The procedure for maintaining G. P. Fund accounts has been simplified and the authority of Audit for withdrawal or advances has been dispensed with.

Suggestions for making this edition more useful, for correction of errors and rectifying of omissions, if any, may please be sent to the Finance Department.

S.P. BAGLA
Commissioner for Finance &
Secretary to Government, Punjab,
Finance Department.

PREFACE TO THE FIRST EDITION

This volume has been divided into two parts:—

- (1) Part I, contains rules relating to pensions, and
- (2) Part II, contains rules relating to Provident Funds.

2. These rules will apply in respect of Government employees belonging to the categories mentioned at Rules 1.2 of Volume I, Part I, of the Punjab Civil Service Rules.

3. In so far as Government employees belonging to the Services previously known as the Secretary of State Services are concerned, they will be governed by the rules contained in the Civil Service Regulations and other pension and Fund Rules issued by the late Secretary of State as modified from time to time by the President of India. Officers of the I.A.S./I.P.S will be governed by the rules issued by the President of India.

4. The rules in this Volume are based mainly on the existing rules and orders contained in “Civil Services Rules (Punjab), Volume II, First Edition, 1940”, modified in the background of the changes resulting from the partition of the Punjab and constitutional requirements. To avoid overlapping Sections I and II of Chapter XII of the edition referred to above containing the “Agent” and “Delegation” orders issued under the various rules, have been brought together in Chapter XII. A similar plan has been followed in the rules relating to provident Funds.

A memorandum explanatory of Government provident Fund Rules, vis-à-vis the law of the subject, has been included as Appendix VI.

5. Correction slips and amendments issued to the various rules upto the 15th September 1953, have been included. Amendments notified subsequently may be taken as modifying the corresponding rules in this Volume. They will be re-issued in due course, as correction slips to this volume.

6. The forms which have been adopted in the rules in this Volume, have been given two separate series, namely “Pen” and “P.F.” (Abbreviations for Pensions and Provident Funds). Form “Pen 10” has been revised on the basis of the corresponding form adopted by the Union Government.

7. All Government employees, who notice any errors or omissions in these rules, are requested to bring them to the notice of their Heads of Departments, who will please submit proposals to the Finance Department, through the Administrative Department concerned.

E.N. MANGAT RAI
Secretary to Government, Punjab,
Finance Department.

**TABLE OF CONTENTS
GENERAL**

		PAGES
1.	PART I-PENSIONS	1-114
2.	PART II-PROVIDENT FUNDS	115-153
3.	PART III-GROUP INSURANCE SCHEME	155-158
4.	APPENDICES	159-186
5.	FORMS	187-269

THE PUNJAB CIVIL SERVICES RULES
VOLUME III

TRAVELLING ALLOWANCE RULES

CHAPTER 1-DEFINITIONS

1.1. (a) Except as provided in clause (b) below and unless there is anything repugnant in the subject or context, the terms defined in Chapter II of Volume I (Part I) of these Rules have the same meaning and implications when used in this Volume.

(b) The term ‘Head of Department’ as used in this Volume means the authority shown in Appendix–C to the Punjab Budget Manual in respect of the Government employees whose pay is debited to the corresponding head of account in the Appendix, with the following exceptions: –

- (1) The Governor is Head of Department with respect to himself and his personal staff.
- (2) Commissioners are Heads of Departments with respect to the Government employees whose pay is debited to the group heads “Commissioners” and “District Administration”. Commissioners are also Heads of Departments with respect to Government employees whose pay is debited to the head “2029–Land Revenue–102–Survey and Settlement Operations” for purposes of note 1 below rule 2.20.
- (3) Deputy Commissioners are Heads of Departments with respect to the I.A.S. and P.C.S. Officers serving under them in the matter of performance of journey beyond their sphere of duty for attending courts as witnesses in their official capacity.
- (4) A competent authority may appoint any other authority to exercise the powers of a Head of Department.

CHAPTER 2—TRAVELLING ALLOWANCE RULES

SECTION I—GENERAL

General Rules

2.1. The following are the different kinds of travelling allowances which may be drawn in different circumstances by Government employees: –

- (a) Permanent travelling allowance.
- (b) Conveyance and horse allowance.
- (c) Mileage allowance.
- (d) Daily allowance.
- (e) The actual cost of travelling.

The nature of these allowances and the method of calculating them are explained in the subsequent Sections.

Note.—The term “mileage allowance” wherever used will have reference to allowance admissible for a kilometre.

2.2. Travelling allowance calculated with reference to the purpose of the journey.—The travelling allowance admissible to a Government employee for any journey is calculated with reference to the purpose of the journey in accordance with the rules laid down in Sections VII to XX.

A competent authority may direct a Government employee to perform a journey in the interest of the public service for any purpose not specified in these Rules. The travelling allowance in such a case will be that admissible for a journey on tour, unless a special rate is sanctioned by a competent authority.

Note.—A list of special orders passed under this rule is given in **Appendix—O**.

2.3. Recovery of cost of transporting Personal luggage, etc.—Unless in any case it be otherwise expressly provided in these Rules, a Government employee making a journey for any purpose is not entitled to recover from Government the cost of transporting his family, servants, personal luggage, conveyances, tents and camp equipage.

2.4. Revision of travelling allowance due to promotion or reversion.—A Government employee’s claims to travelling allowance should be regulated by the Rules in force at the time the journeys in respect of which they are made, are undertaken. The travelling allowance of a Government employee, who is promoted or reverted or is granted an increased rate of pay with retrospective effect, should not be revised in respect of the period intervening between the date of the promotion or

reversion or grant of increased rate of pay and that on which it is notified, except where the notification implies a change of duties.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.4-2.7]

In the case of all bills audited before the notification appears, the audit officer should be guided by the facts officially known at the time, but in the case of travelling allowance bills not presented or audited before the promotion is gazetted, there is no objection to the audit office recognising the retrospective effect of the notification.

SECTION II—PERMANENT TRAVELLING ALLOWANCE

2.5. Conditions of grant.—A permanent monthly travelling allowance may be granted by a competent authority to any Government employee whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of travelling allowance for journeys within Government employee's sphere of duty and is drawn all the year round, whether the Government employee is absent from his headquarters or not. The allowance is calculated so as not to exceed the average amount which would be drawn under rules 2.40 to 2.49 in sub-sections (ii) and (iii) of Section VII by a Government employee of the same grade. The authority granting the allowance may attach to it the condition of a conveyance being maintained.

Note.—The posts carrying the permanent monthly travelling allowance, shall be such as given in **Appendix—B**.

2.6. In order to prevent permanent travelling allowance being turned into a source of profit, a controlling officer may in any month reduce the amount of allowance if, in his opinion, a Government employee is neglecting the due performance of the duties for which he receives the allowance. This power should be used with due regard to the fact that the allowance is based on an average of the whole year, and, therefore, the allowance should not be reduced with reference to touring done in any single month but on evidence of habitual neglect of touring and after the Government employee has been warned. If the condition is attached that a conveyance should be maintained, controlling officers should also from time to time satisfy themselves that this is fulfilled. All bills for fixed travelling allowance mentioned in **Appendix—B** which are specifically subject to a means of conveyance being actually kept, must be supported by a certificate to the effect that the means of conveyance in respect of which allowance is claimed, is his own property and was maintained at the station of duty during the period from _____ to _____ for which fixed travelling allowance is claimed.

Note.—If the means of conveyance ceases to be actually kept, it shall be replaced within one month or the fixed travelling allowance shall cease to be drawn with effect from the date on which the means of conveyance ceased to be kept.

2.7. When inadmissible.—A permanent travelling allowance may not be drawn during joining time, or unless in any case it be otherwise expressly provided in these

Rules, during any period for which travelling allowance of any other kind is drawn. The extent to which it can be drawn during leave is governed by Rules contained in

[2.7-2.8] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

Chapter V of Volume I (Part I) of these Rules. For periods of temporary duty, it can be drawn with the sanction of competent authority.

Note 1.—Zilladars in the Public Works Department, Irrigation Branch, deputed to undergo a course of training at the Agricultural College or required to undergo training in the work of Kanungo or Naib-Tehsildar and Naib-Zilladars who are Zilladar candidates, when deputed to undergo training in the Civil Department may draw the permanent travelling allowance during the course of their training: provided they actually maintain conveyances, and the authority sanctioning the deputation certifies that on the expiry of the period of training they are likely to return to posts to which the allowance is attached.

Note 2.—(i) Excise and Taxation Inspectors in receipt of permanent travelling allowance on the condition of maintaining a conveyance when deputed to undergo a course of training at any of the distilleries or breweries, may draw their permanent travelling allowance during the course of their training, provided that:—

(a) the period of training does not in any one case exceed three months without the previous sanction of Government;

(b) the Deputy Excise and Taxation Commissioner certifies that the Inspector maintained a conveyance during the period of training; and

(c) the certificate of the likelihood of the Inspector to return to post to which the allowance is attached is recorded in the original orders of his being placed on training.

(ii) Other Excise and Taxation Inspectors will not, however, be allowed to draw permanent travelling allowance while under such training. They may draw travelling allowance at tour rates for journeys performed for joining and leaving the places of training plus halting allowance at the rate prescribed under these rules: provided that the period of training does not in any one case exceed three months without the previous sanction of Government.

Note 3.—When permanent travelling allowance is subject to the condition of keeping a conveyance, it may be drawn during joining time provided:—

(a) the conveyance was maintained in the post from which the Government employee concerned is transferred and is actually maintained during joining time; and

(b) the Government employee proceeds to join a post in which the maintenance of such conveyance is necessary for the proper discharge of his duties.

If the rate of permanent travelling allowance in the new post differs from that attached to the old post, the lower of the two rates will be admissible during joining time.

2.8. Combination of posts.—When a Government employee holds, either substantively or in an officiating capacity, two or more posts to each of which a

permanent travelling allowance is attached, he may be granted such permanent travelling allowance not exceeding the total of all the allowances, as the competent

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.8-2.11]

authority may consider to be necessary in order to cover the travelling expenses which he has to incur.

2.9. Travelling allowance in addition to or in exchange for permanent travelling allowance.—A Government employee in receipt of permanent travelling allowance may not draw any other travelling allowance in place of, or in addition to, permanent travelling allowance, provided that a competent authority may permit:

- (1) a Government employee or class of Government employee to draw, in addition to permanent travelling allowance, single fare for a journey by rail;
- (2) by general or special orders, a Government employee whose sphere of duty extends beyond the limits of a single district to draw, in addition to permanent travelling allowance, whenever his actual travelling expenses for a duly authorized journey by public conveyance exceed double the amount of his permanent travelling allowance for the period occupied in such journey, the difference between such double permanent travelling allowance and the mileage allowance calculated for the journey;
- (3) by general or special orders, a Government employee to draw, in addition to permanent travelling allowance, mileage by rail for a journey expressly authorised by a specified authority;
- (4) by special or general orders, a Government employee or class of Government employees, to draw in addition to or in lieu of permanent travelling allowance mileage by road or actual expenses for a journey expressly authorised by a specified authority. Such order will be given only in very exceptional circumstances when there is clear proof that the permanent travelling allowance was not intended to cover the particular journeys for which the concession is asked.

2.10. Mileage allowance in addition to permanent travelling allowance.—When a Government employee in receipt of permanent travelling allowance, travels on duty with proper sanction, beyond his sphere of duty, he may draw (a) mileage allowance by rail for the whole journey, and (b) mileage by road for such portion of the journey, including such part of it as is within his sphere of duty, as is in excess of 32 kilometres. This rule does not apply to a Government employee who travels beyond his sphere of duty in the course of journey from one place within that sphere to another such place. In addition, he may draw permanent travelling allowance for any day of his absence for which no mileage allowance is drawn.

SECTION III-CONVEYANCE ALLOWANCES

2.11. Conditions of.—A competent authority may grant, on such conditions as it thinks fit to impose, a monthly conveyance allowance to any Government employee

[2.11-2.12] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance. Where circumstances require it, a competent authority may grant a daily conveyance allowance under this rule.

Note 1.—The posts carrying monthly conveyance allowances shall be such as given in Appendix-C.

Note 2.—The pay of a Government employee is supposed to include the cost of upkeep of such means of conveyance as are necessary for his ordinary duties and the same is in accordance with his official status. Therefore, only in few exceptional cases, should the claim for a conveyance allowance be admitted. After conveyance allowance has been granted, it is not necessary to enquire in what precise manner it is being spent as long as the Government employee moves about adequately in the discharge of his duties and fulfils the conditions imposed by the competent authority while sanctioning the conveyance allowance.

2.12. When drawn.—Except as otherwise provided in these Rules or in Appendix-C and unless the authority sanctioning it otherwise directs, a conveyance allowance is drawn all the year round, and is not forfeited during absence from headquarters and may be drawn in addition to any other travelling allowance admissible under the Rules:—

Provided that the T.A. of a Government employee who is in receipt of a conveyance allowance specifically granted for the upkeep of a motor car or motor cycle, for the journeys beyond a radius of 8 kilometres from headquarters, shall be regulated as under:—

- (a) if performed by railway, conveyance allowance may be drawn in addition to T.A. (daily allowance or railway mileage) that may be admissible;
- (b) if performed by road, only the conveyance allowance will be admissible but the Government employee may at his option exchange it (at the rate of 1/30th for each day) for any T.A. (daily allowance or road mileage) that may be admissible to him under the Rules;
- (c) if performed partly by rail and partly by road, conveyance allowance may be drawn in addition to T.A. (daily allowance or railway mileage) but the officer may at his option draw railway mileage and exchange the conveyance allowance (at the rate of 1/30th for each day) for road mileage or daily allowance that may be admissible to him under the Rules; and

- (d) if performed by Government vehicle provided to him free of cost, the Government employee will have the option either not to claim any T.A. or to claim daily allowance admissible for journeys by Government vehicles under rule 2.100 and 2.105 after deducting 1/30th of his conveyance allowance.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.12-2.13]

Note 1.—It is open to the controlling officers to reduce the conveyance allowance in any month if the Government employee appears to be neglecting the duties for the performance of which the allowance was granted and in so doing they should bear in mind the conditions mentioned in rule 2.6.

Note 2.— Omitted.

2.13. During leave or joining time.—A conveyance allowance may be drawn during joining time if (a) the conveyance was maintained in the post from which the Government employee concerned is transferred and is actually maintained during joining time, and (b) the Government employee concerned proceeds to join a post in which the maintenance of such conveyance is necessary for the proper discharge of his duties. Its drawal during leave is governed by Rules contained in Chapter V of Volume I (Part I) of these Rules. During joining time granted after leave, the grant of conveyance allowance will be subject to the condition that it was admissible and drawn during leave. A conveyance allowance can only be drawn for periods of temporary duty, other than in a post for which it has been sanctioned when ordered by the competent authority.

Note 1.— A proportionate amount of conveyance allowance, granted on condition that a motor car or motor cycle is maintained, may be drawn during joining time if the Government employee certifies that he continued to maintain the vehicle, that the amount claimed was spent by him on garage hire or wages to staff or both for the period for which the amount is claimed and that the vehicle was not during that period in use by anybody.

Note 2.—A conveyance allowance to which the condition of maintaining a cycle is attached, will not be drawn during joining time as no expense is incurred on the maintenance of a cycle when not in use.

Note 3.—No allowance shall be drawn for Head Constables and Constables sick or on leave, except to meet expenditure actually incurred on the feeding, shoeing and maintenance of the animals and for Chanda Subscriptions for the period of absence of the men concerned.

Note 4.—Mounted Police Officers proceeding on earned leave or undergoing promotion courses at the Punjab Police Academy, Phillaur, and Sub Inspectors when posted to the mobile patrols, who are in possession of horses or camels shall hand over their mounts to the Lines Office or the Officer in charge of the Mounted Police who shall be responsible for the feeding and keeping of such animals under the supervision of a Group 'A' or Group 'B' Officer. No conveyance allowance shall be drawn for them for the period of their absence on leave or training at the Punjab Police Academy, Phillaur and in the case of Sub Inspectors when posted

to the Mobile Patrol except to meet expenditure actually incurred on the feeding, shoeing and maintenance of animals which should in no case exceed the conveyance allowance admissible in each case. The accounts shall be kept in the relevant form prescribed in the Police Rules. Such horses and camels shall be looked after and may be used for instruction duty by mounted upper subordinates under orders of the Group 'A' or Group 'B' Officer in supervisory charge. In such cases, responsibility for loss or injury by misconduct or neglect shall rest with the

[2.13-2.15] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

officer so ordered to look after or use the animal provided that no policeman shall be held responsible for more than one animal at a time. Where, however, adequate accommodation for horses and syces is not available in the Police Lines, the Superintendent of Police may authorise such officers to make their own arrangements for the care and maintenance of animals and draw the prescribed conveyance allowance admissible to each of them. Assistant Sub-Inspectors are not mounted Police Officers and exempted from the operation of this rule.

Note 5.—Subordinates of the Public Works Department, Buildings and Roads and Irrigation Branches, deputed to attend the reinforced concrete class at the Government School of Engineering may draw the conveyance allowance during the course of their training; provided they actually maintain conveyance, and the authority sanctioning the deputation certifies that on the expiry of the period of training the subordinates are likely to return to posts to which the conveyance allowance is attached.

2.14. All conveyance allowances are except where otherwise specifically exempted in Appendix—C, subject to the means of conveyance being actually kept and a certificate to the effect that the conveyance in respect of which allowance is claimed is his own property, and was maintained at the station of duty during the period from ... to ... must be attached to each bill on which the allowance is drawn.

Note.—If the means of conveyance ceases to be actually kept, it shall be replaced within one month or the conveyance allowance shall cease to be drawn with effect from the date on which the means of conveyance ceased to be kept.

SECTION IV—GRADES OF GOVERNMENT EMPLOYEES

2.15. The Government employees are divided into following five grades, namely:—

TABLE

Grades of Government employees	Grade Pay in rupees
First	10,000 and above
Second	7,600 and above but less than 10,000
Third	5,400 and above but less than 7,600

Fourth	3,800 and above but less than 5,400
Fifth	Below 3,800.

Exception.– The Judicial Officers of the State Government are divided into the

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.15-2.17]

following three grades, namely: –

Designation of the Judicial Officer	Grade
District Judge (Super Time Scale) District Judge (Selection Grade) District Judge (Entry Level)	First
Civil Judge (Senior Division)	Second
Civil Judge (Junior Division)	Third.

Note 1.–The grade to which a retired Government employee belongs on his re-employment, shall be determined from the grade pay he received on the date of his retirement or the grade pay of the post to which he is re-employed, whichever is lower.

Note 2.–The grade of a probationer, shall be determined from the grade pay of the post, to which he is appointed.

2.16. Government employees in transit from one post to another.–A Government employee in transit from one post to another, would rank in the grade to which the lower of the two posts would entitle him.

2.17. Part-time Government employees, etc.–A Government employee whose whole time is not retained for the public service, or who is remunerated wholly or partly by fees, ranks in such grade as a competent authority may declare.

The following part-time Government employees are included in the grades shown against each:–

- | | | |
|-----|---|----------|
| (1) | Assistant to the Advocate-General | Grade I |
| (2) | Assistant Legal Remembrancer | Grade I |
| (3) | Administrator-General and Official Trustee | Grade II |
| (4) | Departmental Sub-Registrars | Grade II |
| (5) | Chairmen and members of Debt Conciliation Boards constituted under the Relief and | Grade II |

Indebtedness Act.

- (6) Government Pleaders and Public Prosecutors are included in the appropriate grades according to their pay, as if they were whole-time Government employees.

[2.18-2.19]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 2]

SECTION V—DAILY AND MILEAGE ALLOWANCES

(i) General

2.18. Definition of daily allowance and the rule as to its drawal.—A daily allowance is a uniform allowance for each day of absence from headquarters which is intended to cover the ordinary daily charges incurred by a Government employee in consequence of such absence:

Provided that the daily allowance at full rate shall be admissible only if the absence of the Government employee from the headquarters is for a period of not less than six hours subject further to the condition that the distance travelled exceeds twenty-five kilometres from the headquarters:

Provided further that daily allowance can be drawn by a Government employee if his duty requires him to travel and may not be drawn except while on tour:

Provided further that if a Government employee is on tour to a place at the distance exceeding eight kilometres but not exceeding twenty-five kilometers from the headquarters, it shall be treated as a local journey and the daily allowance in such cases shall be,—

- (i) half of the normal rate irrespective of the period of absence, if the employee returns to the headquarters on the same day; and
- (ii) at full rate, if the employee stays out for night.

2.19. Definition and principles of calculation of mileage allowance.—A mileage allowance is an allowance calculated on the distance travelled which is given to meet the cost of a particular journey on the following principles:—

- (a) For the purpose of calculating mileage allowance, a journey between two places is held to have been performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short provided that when there are alternative railway routes and the difference between them in point of time and cost is not great, mileage allowance should be calculated on the route actually used.

- (b) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt a competent authority may decide which shall be regarded as the shortest of two or more routes.
- (c) If a Government employee travels by a route which is not the shortest, but is cheaper than the shortest, his mileage allowance should be calculated on

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.19-2.21]

the route actually used.

Note 1.—Where the question is merely one of measurement of routes, Commissioners of Divisions can issue a correction slip to the Polymetrical Tables which, for practical purposes shall be taken as a declaration of the shortest routes under the above Rules.

Note 2.—The following road routes shall be regarded as the shortest routes for purposes of travelling allowance:—

- (i) Between Chandigarh and Roop Nagar.
- (ii) Between Chandigarh and Patiala.
- (iii) Between Muktsar and Malout.
- (iv) Between Hoshiarpur and Nangal.

Note 3.—When journey is performed between places partly connected by rail, and partly not so connected, a Government employee shall draw the actual fare.

2.20. Special concessions.—A competent authority may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest: provided that the journey is actually performed by such routes.

Note 1.—When road mileage is claimed for a journey between places connected by rail, the competent authority should decide whether the full rate of T.A. be passed in such a case or whether it should be limited to what would have been admissible if the officer had travelled by rail in the ordinary way. The principle which should be followed in deciding such questions is whether any real public interest was served by the road journey which would not have been served had the officer travelled by rail, such as the saving public time or inspection work. In cases where road mileage is allowed, a certificate giving brief reasons for doing so should be recorded by the competent authority on the T.A. bill. If the Government employee concerned is himself a Competent Authority or Secretary to Government, the certificate should be recorded by the next senior Administrative Officer, if any, or by the Chief Secretary. In the case of the Secretary, Punjab Vidhan Sabha Secretariat, the required certificate should be recorded by the Speaker.

Note 2.—When the Governor travels by road, members of the personal staff accompanying him are permitted to travel by road between stations connected by rail.

2.21. A journey on transfer is held to begin or end at the actual residence of the Government employee concerned. Any other journey (excluding a journey of the type referred to in the Note below) is held to begin or end in any station at the duty point in that station.

Explanation: For the purposes of this rule 'duty point' at the headquarters means the places or office where a Government employee remains on duty, i.e., the place of office of employment at the headquarters. As for outstations the duty point shall be taken to be the place of office visited by the Government employee on duty. Where

[2.21-2.24] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

there are two or more such points at an outstation, the following shall be taken as the duty point:—

- (a) If the Government employee reaches that station by rail, steamer or air, the point which is farthest from the railway station, harbour (or jetty) or the airport, as the case may be; and
- (b) If he reaches that station by road, the point which is farthest from the point where the journey to that station commenced.

Note.—Where a journey commences/ends at a station which is neither the Government employee's headquarters nor his place of duty, it may be treated to have commenced/ended at his residence.

2.22. A Government employee is required to travel by the class of accommodation for which travelling allowance is admissible to him. The provisions of all rules regulating mileage allowance contained in these Rules are subject to the condition that if a Government employee travels in a lower class of accommodation, he shall be entitled to the fare to the class or accommodation actually used.

2.23. Different rates of different classes of journeys.—Mileage allowance is differently calculated, as shown in the following rules, according as the journey is, or could be made by railway, by sea or river steamer or by road, or by air.

(ii) Grades of Government employees

2.24. A—Entitlement to travel by Rail

The entitlement of a Government employee to travel by rail shall be as under, namely: —

TABLE

Grade of Government employees	Entitlement
Grade of First	First Class Air-Conditioned or Executive Class

Second	First Class or Air-Conditioned Chair Car or Air-Conditioned two tier sleeper
Third	First Class or Air-Conditioned Chair Car or Air-Conditioned three tier
Fourth and Fifth	Second Class sleeper

Note. – The cost of reservation and sleeper shall be reimbursed.

Note 1.–(a) Any other officer, who wishes to travel by air-conditioned accommodation will himself pay the difference in fares between the air-conditioned accommodation and class to which he is entitled to travel.

(b) All officers eligible to travel by First Class, may travel at their discretion, by rail-motors between Kalka and Shimla on tour and transfer.

Note 2.–If a Government employee mentioned in Note 1(b) above travels by a train which does not provide the class of accommodation to which he is entitled, he may be allowed to draw a single railway fare for the next higher class, provided the journey is actually performed by the higher class and the Controlling Officer attaches a certificate to his Travelling Allowance bill to the effect that it was necessary in the public interest for him to travel by that train.

Note 3.–When ‘through booking’ involves the payment for part of a journey at rates for accommodation of class higher than that to which the Government employee concerned is entitled, the Government employee may draw a single railway fare for the whole journey at the rate at which he is actually required to pay for the ‘through booking’.

Note 4.–Financial Commissioners and Chief Secretary are entitled to reserve by requisition one First Class Coupe (not air-conditioned) or failing that one ordinary First Class compartment (not air-conditioned) when making journeys by rail on duty of over six hours duration or journeys any part of which falls between the hours of 11.00 P.M. and 6.00 A.M.,–vide rule 2.91.

Note 5.–When a Government employee entitled to travel in a higher class by rail, travels in Second Class and pays the extra charges for sleeping accommodation provided by the railways for Second Class passengers during night journey, the Controlling Officer may allow the fare of the accommodation actually spent inclusive of charges for the reservation and sleeper.

Note 6.– Omitted.

B –Entitlement to travel by Sea or River Steamer

The entitlement of a Government employee to travel by Sea or River Steamer shall be as under, namely:–

[2.24] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

TABLE

Grade of Government employees	Entitlement
First	Highest class.
Second	If there are two classes, the highest class; and if there are three classes, then middle or second class.
Third and Fourth	If there are two classes only, the lower class; and if there are more than two classes, then the middle or second class, and if there be four classes, then the third class.
Fifth	Lowest class.

B1–The Entitlement to travel by Road

A Government employee shall have the option to travel by any mode of road transport i.e. by air-conditioned bus, deluxe bus or ordinary bus subject to the payment of actual charges or maximum railway fare of the entitled class, whichever is less. In the case of stations not directly connected by rail, the entitlement to travel by road transport, shall be as under, namely:–

TABLE

Grade of Government employees	Entitlement
First and Second	Actual fare by any type of public bus OR At the rates prescribed by the Transport Department of air-conditioned taxi when the journey is actually performed by air-conditioned taxi OR Actual fare for journey by autorickshaw

Third	Same as for the first and second grade employees with the exception that journey by air-conditioned taxi will not be permissible OR At the prescribed rates for taxi or autorickshaw or own scooter or motor cycle or moped
Fourth and Fifth	Actual fare by ordinary public bus OR At the prescribed rates for autorickshaw or own scooter or motor cycle or moped

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.24]

C– Daily Allowance

(1) The classification of cities for grant of Travelling Allowance, shall be as under, namely:–

TABLE

Serial No.	Population	Class of city
(1)	Cities with population of 50 lakhs and above.	A1
(2)	Cities with population of 20 lakhs and above but less than 50 lakhs.	A2
(3)	Cities with population of 10 lakhs and above but less than 20 lakhs.	B1
(4)	Cities with population of 5 lakhs and above but less than 10 lakhs.	B2

Note.– Shimla shall be treated as B1 city irrespective of its population.

(2) The revised rates (in rupees) of Daily Allowance at Hotel-rates and Non-Hotel rates at different places, shall be as under, namely: –

TABLE

Grade of Government employees	A1 city		A2 city		B1 city		B2 city and all other places	
	Hotel rates	Non-Hotel	Hotel rates	Non-Hotel	Hotel rates	Non-Hotel	Hotel rates	Non-Hotel rates

		rates		rates		rates		
First	800	400	640	320	480	240	320	160
Second	700	300	560	240	420	180	240	120
Third	450	250	360	200	270	150	180	100
Fourth	380	200	300	160	230	120	150	80
Fifth	300	150	240	120	180	90	120	60

(3) The maximum rates (in rupees) per day for re-imbursement of expenses incurred by an employee on accommodation for staying in hotels or tourist bungalows while on tour outside Punjab and Chandigarh on production of receipts, shall be as

[2.24] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

under, namely :-

TABLE

Grade of Government employees	Entitlement of Hotel Accommodation			
First	Re-imbursement of actual expenditure towards rent of a normal single room in a hotel of a category not above 5 star.			
Second	Re-imbursement of actual expenditure incurred towards rent of a normal single room in a hotel of category not above 3 star.			
	Any hotel room upto Rupees per day			
	A1 city	A2 city	B1 city	B2 city/other places
Third	800	600	500	400
Fourth	500	400	300	200
Fifth	300	200	150	100:

Provided that in the case of tour of a Government employee at New Delhi or Shimla, the re-imbursement of expenditure on hotel accommodation and Daily

Allowance (at hotel rates), shall be admissible only if no accommodation is available in Punjab Bhawan or Circuit Houses or Rest Houses, as the case may be, at these places.

Exceptions.—

(1) Omitted.

(2) When a Government employee who, while on tour, is allowed free board and lodging at the expense of the Central Government or State Government or an autonomous industrial or commercial undertaking or corporation or a statutory body or a local authority, in which Government funds have been invested or in which Government have any other interest may draw only one-fourth of the daily allowance admissible to him at the station concerned. If only board or lodging is allowed free to such a Government employee he may draw daily allowance at one-half of the admissible rate. The same rate of daily allowance will be admissible to Government employees on tour in Pakistan when they are treated as State Guests.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.24]

D—Mileage Allowance for Travel by Road

The different rates (in rupees) of road mileage (per kilometre) for various kinds of conveyances shall be as under, namely: —

TABLE

Grade of Government employees	Own Motor Car	Own Motor Cycle or Scooter	Ordinary Cycle	Other means of conveyance	
				Taxi	Others
1	2	3	4	5	6
First	6.00	2.40	1.20	7.00	6.00
Second	6.00	2.40	1.20	7.00	6.00
Third	6.00	2.40	1.20	7.00	6.00
Fourth	-	2.40	1.20	-	3.00
Fifth	-	2.40	1.20	-	3.00

Note 1.—The rates prescribed for motor-car in the above table apply to journeys performed by a Government employee in his own car or a full taxi, motor omnibus, motor lorry, but not in the case of journey performed in Government-owned car or in another officer's car if the Government employee does not bear the charges of its propulsion.

Note 1-a.—Government employees of grade II are not ordinarily expected to perform journeys by motor-car and accordingly for such journeys they should not draw mileage in excess of the rate prescribed for other means of conveyance. The mileage allowance for motor-car only be drawn by such officers when it is certified by the controlling officer concerned that it was absolutely necessary in the public interest that the journey should have been performed by a motor-car.

Note 2.—Travelling by road includes travelling by sea or in any vessel or river in a steam or motor launch or in any vessel other than a steamer and travelling by canal.

Note 3.—In calculating mileage allowance for journeys by road, fractions of a kilometre should be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

Note 4.—Omitted.

Note 5.—A certificate should be given by the controlling officer in respect of claims for mileage by journeys by motor cars, motor cycles, etc., to the effect that the journey has been performed in the relevant vehicle and if the Government employee is himself the controlling officer, he himself may give a similar certificate.

[2.24-2.25] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

Note 6.—The rate of road mileage prescribed in the above table shall apply to all journeys, whether on tour or transfer.

Note 7.—A Government employee may, while on tour, travel by road transport viz. motor car, omni-bus between stations connected by rail and charge the actual fare paid for such transport irrespective of the fact that the ordinary bus fare exceeds the second class railway fare and draw in addition full daily allowance for the days of departure and arrival. When such journeys are performed by cars, the claim of a Government employee must be supported by actual ticket but in case, the journeys are performed by bus, a certificate in the form given in rule 2.109 will suffice.

The concession mentioned above will also apply in the case of a Government employee, who travels in another officer's car, nothing being paid for the use of transport.

Note 8.—The mileage allowance admissible to Government employees of Grade I and Grade II for journey by road shall be Rs. 6.00 per kilometre, when the journey is performed by motor car which term includes a taxi, motor or omni-bus, motor lorry, plying for hire, all the accommodation of which is reserved by the officer making the journey. In the case of Government employee of Grade II, the mileage allowance at the rate of Rs. 6.00 per kilometre shall be allowed provided the condition imposed in Note (1) above is satisfied.

Note 9.—Government employees performing journeys on foot shall be entitled to draw road mileage at the rates prescribed in the fourth column captioned as "Ordinary Cycle" of the above table.

Note 10.—A Government employee visiting foreign countries on official tours shall be reimbursed actual taxi charges incurred by him for the performance of journey from the Airport to the place of his stay and *vice versa* in the country of his visit subject to his

furnishing a certificate to the effect that he has not availed of the Indian Mission car facility for such journey.

Explanation.—The amendments pertaining to travelling allowance, which came into effect on and with effect from the 1st day of August, 2009, shall not adversely affect the existing entitlements of a Government employee. The existing entitlements, shall continue to be same till the Government employee reaches the equal or higher entitlements.

Rate of Mileage by Rail or Steamer or Air

2.25. Except for journeys on transfer (the rules about which are contained in Section IX) the mileage allowance admissible to a Government employee is:—

A—For a Journey by Rail

Actual fare of the class in which Government employee is entitled to travel. No incidental charges shall be admissible. Half daily allowance shall be admissible in the case of an employee returning to the headquarters in less than six hours:

Provided that full daily allowance shall be admissible in case the Government employee returns in not less than six hours subject to the condition that the travelling is beyond twenty-five kilometers.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.25]

Note 1.—A Government employee is ordinarily expected in respect of journeys by road (including journeys on transfer) to travel on rail-cum-road tickets issued by some of the railways in India, wherever rail-cum-road services exist and are controlled by the railway authorities. In such a case, the mileage allowance for the road portion of the journey shall be calculated as for journeys by rail. The cost of transportation of personal effects on transfer will, however, be regulated under rule 2.59 (a)—II(ii).

Note 2.—Government employees who are entitled to travel by second class will, for journeys other than those on transfer, be entitled to the fare by the train by which they are required to travel provided they actually travel by the aforesaid train. The Government employee concerned should accordingly, certify on each travelling allowance bill in which mail/express train fare is claimed that the journeys were actually performed by the mail/express train and the controlling officer should certify in respect of such journeys that these were performed by mail/express trains in the public interest. The check contemplated in rule 2.109 of the Travelling Allowance Rules will, however, continue to be exercised by controlling officers, as at present.

Note 3.—Journeys on transfer may be performed by passenger or mail express train at the Government employee's discretion, but when actual fares are claimed by a mail/express train a certificate to the effect that the journey was performed by such a train should be recorded by the claimant on the travelling allowance bill.

Note 4.— Omitted.

Note 5.— Omitted.

Note 6.—When under the rules of the railway or steamer company, return tickets are issued and the routes of the return journeys and the period within which it will be performed are covered by such rules, return tickets at reduced rates should always be purchased. Wherever such return tickets are available and are purchased or would have been purchased will be the actual cost of return tickets plus the usual allowance admissible.

B—For a Journey by Steamer

1½ fares of the class of accommodation in which he is entitled to travel.

C—For a journey by air

(i) A Government employee authorised to travel by air on tour under rule 2.31 is entitled to mileage allowance equal to one standard air fare for the journey plus daily allowance; provided that if more than one air journey (including the return journey) are performed within twenty-four hours, the total entitlement to daily allowance for all the journeys shall be restricted to one Daily Allowance at the ordinary rates given in rule 2.24C.

(ii) A Government employee not entitled to travel by air under rule 2.31 but authorised by the Competent Authority to travel by air on tour is entitled to one

[2.25-2.27] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

standard air fare for the journey plus one Daily Allowance in respect of a journey by rail or steamer in the case of journey between the stations connected by rail or by sea as the case may be and half the mileage by road in the case of journey between stations connected by road to which he would have been entitled had he travelled by the surface route or the Daily Allowance admissible under clause (i) of this rule, whichever is less:

Provided that if at either end of the journey by air a Government employee has to perform a connected journey by rail, road or steamer, he may draw the mileage allowance admissible for such journey subject to the conditions laid down in clause (b) of rule 2.44.

Note 1.— Standard air fare means actual single journey air fare payable for the service by which the journey is performed.

Note 2.—If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by air within a period during which a return ticket is available. The mileage allowance for the forward and the return journeys when such return tickets are available will, however, be the actual cost of the return tickets plus daily allowance as admissible in the rule 2.24(C).

Note 3.—When a Government employee eligible to travel by air under rule 2.31(i) travels by air in a plane owned or chartered by Government between places not connected by scheduled air service he will be entitled to daily allowance subject to the conditions laid down under rule 2.18. Government employees who are not entitled to travel by air but are authorised to do so, will be entitled to Daily Allowance as per rule 2.24(C). In cases where a Government employee undertakes more than one air journey between places connected by scheduled air services as also between places not so connected on the same day, he will be entitled to full daily allowance under rule 2.24(C) and this Note subject to the overall limits of a daily allowance for all air journeys on that day.

2.26. A competent authority may for special reasons, which should be recorded, declare any particular Government employee or class of Government employees to be entitled to accommodation of a higher class than that prescribed for his grade in rule 2.24.

Note.—If it is necessary for a Personal Assistant or a Clerk to accompany a Minister in reserved accommodation, he may do so by purchasing a ticket for the class of accommodation in which he is entitled to travel.

(iii) Higher rates for expensive localities

2.27. Special accommodation.—A competent authority may, by general or special order, direct that the ordinary rates of daily allowance or mileage allowance or both shall be increased either in a definite ratio or in any other suitable manner for

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.27-2.30]

any or all Government employees travelling in any specified locality in which travelling is unusually expensive.

Note.—For halts at places within Pakistan at the rates of equivalent grade fixed by the Government of India for Central Government employees from time to time provided that the cost of trips, taxis, services charges and heating charges etc., recoverable by the hotels and actual cost of taxi or conveyance hire for trips on duty will not be reimbursable.

Note 1.—Where accommodation and meals are both provided either free as and when an officer is a State Guest or at Government expense, he may draw only one-fourth of the daily allowance admissible to him at the station concerned and when accommodation alone is provided free, $\frac{2}{3}$ rd of the rates of daily allowance will be admissible.

Note 2.—When a Government employee travels by road within the territories administered by another Government within the Indian Union, which has fixed special rates for Government employees under its administrative control he must draw travelling allowance at the rates fixed for a Government employee drawing the same pay in those localities or at his discretion mileage allowance at Punjab rates; daily allowance when admissible being drawn at the rates mentioned in Note 1 above.

Note 3. Omitted.

Note 3-a.—The rate of daily allowance of a Government employee who may spend part of a day in one locality and part of it in a place for which a different rate of daily allowance is admissible, should be determined according to the place where he spends the night succeeding such day.

Note 4. Omitted.

Note 5. Omitted.

Note 6.—The mileage allowance for journeys performed within Pakistan shall be calculated at the rates admissible for journeys performed in Punjab (India).

2.28. Special daily allowance.—A competent authority may, for reasons which should be recorded and on such conditions as it may think fit to impose, sanction, for any Government employee or class of Government employees a daily allowance, higher or lower, than that prescribed in rule 2.24 or 2.27.

2.29. Special rates for mileage allowance.—A competent authority may, for special reasons to be recorded, prescribe for a Government employee or class of Government employees or for journeys made by any special mode of conveyance, mileage allowance by road at a rate different from that prescribed in rule 2.24 or 2.27.

(iv) Mileage for journeys by air

2.30. For the purpose of the rules in this sub-section, travelling by air means the journey performed only in the machine of a public or a private air transport company regularly plying for hire.

[2.31-2.32A] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

2.31. Travel by air is permissible on tour: (i) (a) The entitlement of Government employees to travel by Air within India for journey on tour, shall be as under:—

TABLE

Grade of Government employees	Entitlement
First and Second	Economy Class
Third	Economy Class (On the condition that the distance is more than 500 kilometres)

(b) In case of international travel by air, the Government employees of first grade, who have status equivalent to the level of Secretary and above in the State Government, shall be entitled to travel by Business or Club Class in cases where the one-way flying time is more than eight hours. In all other international flights, they shall travel by economy class. All other Government employees, who are entitled to travel by air, shall be required to travel by Economy Class.

(ii) In other cases, whenever a competent authority certifies that air travel is urgent and necessary in the public interest: provided that a competent authority may grant general permission to any Government employee or class of Government employees to travel by air as a matter of routine in connection with a specified journey or journeys.

2.32. A Government employee who is not authorised to travel by air but who performs a journey by air on tour can draw only the mileage allowance to which he would have been entitled if he had travelled by rail, road or steamer or the mileage allowance as calculated under rule 2.25 (C) whichever is less.

2.32-A. (i) Government employees who are entitled to travel by air under rule 2.31 (i) may insure their lives for an amount of Rs. 10,00,000 against air accidents for the duration of the journey and claim from the Government along with travelling allowance the amount of premium paid.

(ii) Where the Government employees are not normally entitled to travel by air but are allowed by the competent authority under rule 2.31(ii) to travel by air, they may also insure their lives against air accidents for the duration of the journey for an amount of Rs. 5,00,000 and claim from the Government the amount of premium paid along with their travelling allowance.

Note.—The claim for the reimbursement of the air risk insurance premium should be supported by a certificate to the effect that the insurance premium was actually paid by the officer to the Insurance Company.

SECTION VI—ACTUAL EXPENSES

2.33. Actual expenses not admissible except under special rule.—Unless in any case it is otherwise expressly provided in these rules, no Government employee is entitled to be provided with means of conveyance by or at the expense of Government, or to draw as travelling allowance, the actual cost or part of the actual cost of travelling.

2.34. Journey by Special conveyance.—When a Government employee of a grade lower than the first grade is required by the order of a superior authority to travel by special means of conveyance, the cost of which exceeds the amount of the daily allowance or mileage allowance admissible to him under the ordinary rules, he may draw the actual cost of travelling in lieu of such daily or mileage allowance. The bill for the actual cost must be supported by a certificate, signed by the superior authority and countersigned by the controlling officer, stating that the use of the special means of conveyance was absolutely necessary and specifying the circumstances which rendered it necessary.

SECTION VII— JOURNEYS ON TOUR

(i) General Rules

2.35. Definition of tour.—A Government employee is on tour when absent on duty from his headquarters either within, or, with proper sanction, beyond his sphere of duty. For the purposes of this Section, a journey to a hill station is not treated as a journey on tour.

A competent authority may, in case of doubt, decide whether a particular absence from headquarters is absence on duty.

Note.—When power is exercised under this rule, a copy of the sanction briefly giving the grounds of sanction should be sent to the Accountant General (Audit) for audit.

2.36. General principles on which travelling allowance is drawn for journeys on tour.—The travelling allowance drawn by a Government employee on tour ordinarily takes the shape of either permanent travelling allowance, or daily allowance, if either of these is admissible to him. Permanent travelling allowance and daily allowance may, however, in certain circumstances, be exchanged for mileage allowance or for the whole or part of the actual cost of travelling. In certain other circumstances, actual cost may be drawn in addition to daily allowance or for journeys for which no daily allowance is admissible.

[2.36-2.39] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

Note.—The exchange of mileage allowance for permanent travelling allowance should be made at the rate of 1/30th of the permanent travelling allowance for each day on which the mileage allowance is drawn.

2.37. Restrictions on the duration and frequency on tours.—A competent authority may impose such restrictions, as it may think fit, upon the frequency and duration of journeys to be made on tour by any Government employee or class of Government employees.

2.38. Government employees who are not entitled to travelling allowance for journeys on tours.—If a competent authority declares that the pay of a particular

Government employee or class of Government employees has been so fixed as to compensate for the cost of all journeys, other than journeys by rail or steamer, within the Government employee's sphere of duty, such a Government employee may draw no travelling allowance for such journeys, though he may draw mileage allowance for journeys by rail or steamer. When travelling on duty with proper sanction, beyond his sphere of duty, he may draw travelling allowance, calculated under the ordinary rules for the entire journey including such part of it as is within his sphere of duty.

Note 1.—A list of the appointments so declared is given at **Appendix—E**.

Note 2.—Head Constables and Constables of Police on escort duty are entitled to draw the actual cost of the conveyance of their baggage by road in addition to the daily and mileage allowance admissible to them under the ordinary rules.

Note 3.—Tent pitchers in the Police Department may draw travelling allowance when accompanying an officer on a journey on tour for which travelling allowance for more than two Group 'D' Government employees (whether orderly or tent-pitcher) is not drawn.

Note 4.—Police Officers are permitted to draw travelling allowance for journeys by roads within their sphere of duty made in public motor vehicles provided that the amount is not more than the railway fare between the two places and provided also that the journey, if it had not been performed by a public motor vehicle would have been performed by rail.

Note 5.—A Police Officer below the rank of Inspector may draw travelling allowance for a journey performed by him by road either within or beyond his sphere of duty provided the Superintendent of Police certifies in writing that the journey was necessary in the public interest.

Note 6.— Deputy Rangers and Foresters not in charge, of Ranges may draw travelling allowance calculated under ordinary rules as and when they travel within their sphere of duty and stay out of their Headquarters. In case they may return to their Headquarters on the same day, they are only entitled to actual Bus fare/Railway fare.

2.39. Carriage of tents supplied by Government.— (a) A competent authority may prescribe the scale of Governments tents to be supplied to any Government

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.39-2.41]

employee or class of Government employees for office, or if it thinks fit for personal use.

(b) When such tents are used by a Government employee on tour, half of the carriage will be borne by Government and the other half shall be paid by the Government employee or employees for using the tent or tents.

(c) Government employees who are allowed tents for their office establishment only are not entitled when they go into camp without an office

establishment, to the use of tents at Government expense, and must, therefore, bear the whole cost of their carriage.

Exception: Tents occupied by Assistant Commissioners, while under Settlement Training, Inspectors and Sub-Inspectors of the Fisheries Department, Tehsildars, Naib-Tehsildars, Settlement Tehsildars and Naib-Tehsildars, Excise Inspectors whatever their pay, District Kanungos, Officials/Officers of the Punjab Forest Department while on tour in places where Rest Houses and other facilities are not available, Surveying Instructors of the Government School of Engineering, accompanying students in their annual survey camp and by ministerial employees below the rank of Superintendent Grade II, and tents occupied by sewadars or police guards will be carried wholly at Government expense.

(ii) Daily Allowance on Tour

2.40. General Rule.—Except where otherwise expressly provided in these rules, a Government employee, not in receipt of permanent travelling allowance, draws travelling allowance for journeys on tour in the shape of daily allowance.

2.41. Drawn during absence from headquarter on duty.—Daily allowance shall be permissible as prescribed in rule 2.18. The period of absence from headquarters begins when a Government employee actually leaves his headquarters and ends when he actually returns to the place in which his headquarters is situated.

Note 1.—The term radius of twenty-five kilometers should be interpreted as meaning a distance of twenty-five kilometres by the shortest practicable route by which a traveller can reach his destination by the ordinary modes of travelling.

Note 2.—If an officer of a Vacation Department combines tour with vacation, i.e. proceeds on tour and then avails himself of vacation without returning to his headquarters, he should be granted tour travelling allowance under these rules, only for the outward journey.

Note 3.—A canal patwari halting at the headquarters of a Zilladar, or the Division, which is within twenty-five kilometres, but more than 3 kilometres of his own headquarters may draw halting allowance when the halt is for the work connected with the final check and preparation for seasonal demand statements.

[2.41-2.42]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 2]

Note 4.—(i) A Government employee of grade lower than the first, when required by the order of a superior authority to travel by special means of conveyance, may be allowed under rule 2.34 of the Punjab Civil Services Rules, Volume III, the actual cost of travelling in lieu of Daily Allowance.

(ii) No Daily Allowance will be admissible to a Government employee performing such local journeys at headquarters in a staff car or a Government vehicle provided to him free

of charge. When a Government employee performing a local journey beyond a radius of eight kilometres from the duty point at headquarters is provided with free conveyance for one way journey only, either for going from or for return to headquarters, he may be allowed one-fourth of the daily allowance fixed under rule 2.24-C.

Note 5.—If the period of absence from headquarters beyond twenty-five kilometres is less than six hours, daily allowance shall be admissible at half the normal rate fixed under rule 2.24-C.

Note 6.—When journey on tour involves two calendar days, full daily allowance shall be payable for both the days irrespective of the time spent on each day.

2.42. Halts on tour.—Subject to the conditions mentioned below, daily allowance may be drawn during a halt on tour or on holiday occurring during the tour:—

- (i) Daily allowance may not be admissible for a continuous halt of more than one hundred and eighty days at a place outside the Government employee's headquarters during his tour or temporary duty.

Note.—After a continuous halt of one hundred and eighty days' duration, the halting place shall be regarded as the Government employee's temporary headquarters.

- (ii) A halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding twenty-five kilometres for a period including not less than three nights.
- (iii) In calculating the duration of a halt, any day on which the Government employee travels or halts at a distance from the halting place exceeding twenty-five kilometers shall be excluded. On such a day, the Government employee may draw daily allowance or exchange it for mileage allowance, if admissible.
- (iv) A Government employee who takes casual leave when on tour is not entitled to draw daily allowance during such leave. Where casual leave is combined with tour to stations other than hill stations, either before the commencement of tour or during the tour or on completion of tour, while no daily allowance will be admissible for the days of casual leave, there will be no objection to the drawal of mileage allowance, as may be admissible from headquarters to the outstation(s) where official duty is

performed and *vice versa* or from one tour station to another tour station by the shortest route. It will, however, be a pre-requisite in all such cases that the Government employee should obtain prior permission of his

Controlling Officer for the combination of casual leave with tour. In respect of officers who are their own Controlling Officers, such permission should invariably be obtained from their next higher authority. A certificate to the effect that “the journey undertaken was for official purposes and casual leave was incidental to it” should be recorded on the T.A. bill by the Controlling Officers. The officers who are their own Controlling Officers should record a similar certificate on their T.A. bills themselves and also that “the combination of casual leave with tour was with the prior approval of the higher authority”.

- (v) Daily allowance is not admissible for any day whether Sunday or holiday, unless the Government employee is actually and not merely constructively in camp.
- (vi) When bodies of police are moved from one tehsil to another for special temporary duty, the new tehsil will not be regarded as their sphere of duty for the one hundred and eighty days, and halting allowance will be admissible to all ranks for the one hundred and eighty days. After that time, the new tehsil will be regarded as their sphere of duty and mileage and daily allowance will be governed by the ordinary travelling allowance rules.
- (vii) Teachers of Government institutions accompanying candidates to the examination centres, who act as Superintendents, Assistant Superintendents or Invigilators of examinations conducted by the University or Board, may, besides travelling allowance to and from the examination centres, draw at their option, daily allowance at the rate admissible to them for the period of the examination or the fees paid by the University or Board. If daily allowance is drawn, the fees paid by the University or Board should be credited to Government.
 - (a) In cases, where fees paid by the University or Board are credited to Government, the treasury receipt should be attached to the travelling allowance bill in support of the claim.
 - (b) The claim on account of travelling allowance should be accompanied by a certificate to the effect that either no travelling allowance was paid by the University or Board or if any travelling allowance was paid, it was credited to Government. In the latter case, the treasury receipt should also be produced.

- (c) Travelling allowance to and from the examination centres as contemplated in this rule may not be drawn in respect of journey or a portion of a journey performed on the same day as that on which such teachers also act as Superintendents, Assistant Superintendents or Invigilators, etc., unless the fees paid by the University or Board for that particular day are credited to Government and no further daily allowance is claimed for that date.
- (viii) In all cases of enforced halts occurring, *en-route* on tour/ journeys, temporary transfer or training, necessitated by break down of communications due to blockade of roads on account of floods, rains, heavy snowfall, landslides, or delayed sailing of ships or awaiting for air-lift, etc., the period of such halts shall be treated as duty and the Government employee concerned shall be paid daily allowance at 3/4th of the rate applicable to him at the station in which the enforced halt takes place for the period of enforced halt after excluding first day of such halt for which no daily allowance shall be allowed.

**(iii) Mileage Allowance and Actual Expenses in Place
of or in Addition to Daily Allowance on Tour.**

2.43. Exchange of daily allowance for mileage allowance during the whole period of a tour.—A competent authority may, by general or special order and on such conditions as it thinks fit to impose, permit any Government employee or class of Government employees to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters if it considers that the nature of the Government employee's duty is such that daily allowance is not sufficient to cover his travelling expenses.

2.44. Exchange of daily allowance for mileage allowance on any particular journey.— (a) Subject to any conditions which a competent authority may, by general or special order impose, a Government employee may exchange his daily allowance for mileage allowance on any day on which—

- (i) he travels by railway or steamer or both, or
- (ii) he travels more than 32 kilometres by road: provided that, if a continuous journey extends over more than one day, the exchange must be made for all such days and not for a part only of them.

Note.—Short journeys, within a radius of twenty-five kilometres from headquarters, may not be added to other journeys, when calculating the distance travelled by road or the amount of mileage allowance admissible for road journeys.

(b) When a journey by road is combined with a journey by railway or steamer, under clause (a) (i) of this rule, mileage allowance may be drawn on account of such journey by road.

Note.—If actual places of duty fall outside the twenty-five kilometers radius at the outstation, road mileage allowance may be allowed under rule 2.44(a)(ii). But if places of duty are situated in localities within the twenty-five kilometres radius at the outstation, road mileage is admissible to and from the first place of duty only. The above distinction of places within twenty-five kilometres radius and beyond can be made as daily allowance which is a uniform allowance for each day of absence from the headquarters which is intended to cover the ordinary daily charges incurred by a Government employee in consequence of such absence. The ordinary daily charges can reasonably be held to include the cost of journeys within a radius of twenty-five kilometres from the place of halt. Thus a Government employee who halts at a place for a day and draws daily allowance will not be entitled to draw mileage allowance for journeys within twenty-five kilometres of his camp. Similarly, it may be held that when a Government employee arrives at his camp after making a railway journey and performs short journeys within twenty-five kilometres of his camp he is not entitled to any road mileage, if he halts at his camp and draws daily or half daily allowance, as the case may be.

2.45. In addition to the mileage allowance for journey by rail, or by sea, or river steamer or by road admissible under rule 2.44, the Government employee may draw full daily allowance for the days of departure and arrival including the days of departure and arrival at headquarters.

Note 1.—If on any one day two separate journeys are performed one ending at, and the other commencing from headquarters, one daily allowance will be admissible in respect of both journeys. When the journeys, on tour involve two calendar days, daily allowance for two days will be allowed irrespective of the time involved on each day.

Note 2.—In the case of a Government employee who, while on tour, is treated as a State Guest, full daily allowance admissible to him for the days of arrival at and departure from his place of halt where he is treated as State Guest, will be half of the reduced daily allowance to which he may be entitled under Exception (2) below rule 2.24 (C) whereas the full daily allowance for the days of departure from and arrival at other places will be full daily allowance ordinarily admissible to him.

Note 3.— In the case of a Government employee whose absence from his headquarters does not exceed 24 hours but falls on two calendar days, full daily allowance will be admissible for both the days notwithstanding the provisions of rule 2.18 of the Punjab Civil Services Rules, Volume I, Part I.

The criteria for admitting full daily allowance in such cases being whether any Government duty was performed at the out-station or not, no daily allowance should be

allowed to Government employees simply for stopping at a place for rest or for catching the available train or bus on the following day. The controlling officer of the Government employee shall have to record a certificate to this effect.

[2.46] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

2.46. When a journey by road is performed in a private motor vehicle which is not the property of the Government employee, travelling allowance will be regulated by rule 2.100.

Note 1.—When two or more Government employees travel in a motor vehicle belonging to one of them the travelling allowances of the owner of the vehicle will be regulated by the ordinary rules and the travelling allowance of the other Government employee travelling with owner will be regulated by rule 2.100 even though he may have incurred some expenses for the use or propulsion of the vehicle in question.

Note 2.—The words “private motor vehicle” used in this rule do not include public motor vehicles plying for the hire or cars borrowed from friends or relatives other than officers subordinate or junior to the person performing the mileage, if the officers pay all the charges for their propulsion.

Note 3.—When a Government employee travels in a Motor Vehicle borrowed from a friend or a relative, who is a private individual, between stations connected by rail, he shall be entitled to mileage allowance as under: –

If he pays full propulsion charges himself	Actual cost of propulsion charges not exceeding one rail fare of the class of accommodation to which he is entitled to travel.
If he pays ½ propulsion charges himself	Actual cost of propulsion charges paid by him not exceeding half the railway fare of the class of accommodation to which he is entitled to travel.

In addition, he may charge full daily allowance for the days of departure and arrival.

Exception: When a Government employee travels in another officer’s car between stations connected by rail and does not pay any expenses for the use or propulsion of the vehicle, his travelling allowance shall be regulated under Note (7) below rule 2.24(D). The Government employee shall be entitled to daily allowance under rules 2.100 and 2.105 for such a journey between stations not connected by rail.

The Government employee will not, however, be entitled to anything for journeys covered by this rule, from duty point (i.e. the place/office of employment at his headquarters) to Railway Station and *vice versa* except that they will draw full

daily allowance for the days of departure or arrival as the case may be under the normal rules.

Explanation: The term “propulsion charges” used in this rule includes only the driving charges, i.e., the cost of petrol and mobil oil etc., but does not include the charges on account of the wear and tear of the vehicle or the pay of the driver.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.47-2.49]

2.47. Actual expenses of maintaining camp during a sudden journey away from it.—A competent authority may permit any Government employee, who is compelled by a sudden emergency to leave his camp and travel rapidly on duty to a place more than 32 kilometres distance, to draw, in addition to mileage allowance, the actual cost of maintaining his camp, whether the camp be moved or not: provided that the amount of actual cost drawn shall not exceed the daily allowance of his grade.

2.48. Actual expenses on first and last journey of an extensive tour.—A Government employee entitled to daily allowance, whose sphere of duty extends over the whole State may, when making a journey of more than 160 kilometres to the first or from the last camp of an extensive tour, recover, in lieu of the daily allowance admissible for the days occupied by such journey, the whole necessary cost of the journey, including the cost of transportation of camp equipment and of employees, horses, motor-cars, motor cycles, bicycles and private baggage on such scale as a competent authority may prescribe.

Note.—For the scale fixed under this rule see **Appendix–N**.

2.49. Government employees whose duties require them to travel constantly by railway.—When a member of the railway police, or any other Government employee or class of Government employees, whose duties involve constant travelling by railway and to whom a competent authority may declare this rule to be applicable, makes a journey by railway on tour:—

- (i) He is entitled either to a free pass under the free pass rules of the railway or to the fares for himself and the employees and luggage accompanying him which a free pass would cover.
- (ii) He may draw daily allowance for any day on which he is absent from his headquarters for six or more consecutive hours.
- (iii) He may not exchange for mileage allowance the allowances admissible under sub-clauses (i) and (ii) of this rule.
- (iv) If he combines with a railway journey, a journey by steamer or road, he may, if he travels to a place distant at least 8 kilometres from the point

where he leaves the railway or returns to the railway from a place similarly distant, draw mileage allowance for the journey by steamer or road in addition to daily allowance, if any, admissible under this rule: provided that the time spent on the journey by steamer or road shall be deducted in calculating the duration of the absence from his headquarters.

Note 1.—If in the exigency of public service, such officers travel by road only, their travelling allowance will be governed by rule 2.44.

[2.49-2.52] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

Note 2.—The travelling allowance of the Stenographer to the Assistant Inspector-General, Government Railway Police, Punjab, will be governed by these rules.

(iv) TRAVELLING ALLOWANCE ADMISSIBLE FOR JOURNEYS AND HALTS WITHIN
8 KILOMETRES OF HEADQUARTERS

2.50. Conveyance hire.—A competent authority may, by general or special order, permit any Government employee or class of Government employees to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible under these rules.

Note 1.—This rule is designed to cover cases in which it is equitable to allow Government employees to draw the actual cost of conveyance where the circumstances are not exactly covered by any other existing rule. It is, therefore, applicable to cases in which a Government employee is transferred from one office to another within the same stations accompanied by a change in residence.

Note 2.—This rule is not intended to cover cases where a Group 'C' or Group 'D' Government employee is despatched on duty to a place at some distance from his office or is summoned to his office by a special order of a Group 'A' or Group 'B' employee outside the ordinary hours of duty. In such cases, the expenditure involved may be paid by Government and charged to contingencies, provided—

- (a) that the head of the office certifies that the expenditure actually incurred was unavoidable and is within the scheduled scale of charge for the conveyance used;
- (b) that the Government employee concerned is not entitled to draw travelling allowance under the ordinary rule for the journey, and that he is not granted any compensatory leave, and does not and will not otherwise receive any special remuneration for the performance of the duty which necessitated the journey.

2.51. Ferry charges, tolls and railway fare.—A Government employee travelling on duty within 8 kilometres of his headquarters is entitled to recover the actual amounts which he may have to spend to payment of ferry and other tolls and fares for journeys by railway or other public conveyance.

2.52. Actual expenses of maintaining camp equipage during the halt at headquarters.—On the following conditions and any other conditions which it may think fit to impose, a competent authority may, by general or special order, permit any Government employee or class of Government employees to recover the actual cost of maintaining camp equipage during a halt at headquarters or within 8 kilometres of headquarters or during the interval between the Government employee's departure from or arrival at headquarters and that of his camp equipage:—

- (a) The amount drawn, together with any amounts recovered under rule 2.51 should not exceed the daily allowance of his grade.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.52-2.54]

- (b) The period of the halt or interval for which it is granted should not exceed ten days. An absence on duty from the halting place for less than three nights should not be treated as interrupting the halt or interval.
- (c) The Government employee must certify that he had maintained the whole or part of his camp equipage during the halt or interval and that the expense of maintenance has not been less than the amount drawn. In the case of a Group 'C' or Group 'D' Government employee, the head of the office must certify that such maintenance was necessary.
- (d) The expenses of maintenance of camp equipage during halts at headquarters is the difference between the actual outlay incurred by a Government employee in maintaining the equipage during that time and the outlay he would incur if he could discharge it and had nothing to do with it till he wanted it again. Interest on capital outlay, and charges on account of depreciation and repairs as well as the upkeep of horses, etc., used only for the conveyance of the Government employee on his marches, cannot be reckoned in actual expenses of keeping up camp equipage. The cost of maintaining camp equipage hired during the month may be included in the expenses.
- (e) A Government employee who, while halting at headquarters and drawing allowance under this rule makes a journey of 8 kilometres or less, returning the same day to headquarters, may be granted allowance under both this rule and rule 2.51(b), subject to the restriction contained in clause (a) of this rule that the total sum received shall not exceed the daily allowance.
- (f) In the case of Clerks and Munshies, riding horses and riding camels are included in the camp equipage in maintenance of which during halts at

headquarters, allowance within certain limits are admissible under this rule.

SECTION VIII– JOURNEYS TO JOIN A FIRST APPOINTMENT

2.53. General rule.—Except as otherwise provided in this Section travelling allowance is not admissible to any person for the journey to join his first post in Government service.

Note.—Travelling allowance is not admissible for a journey undertaken to procure a health certificate required on first appointment to Government service.

2.54. Concession to persons re-employed in Government service.—When a pensioner or Government employee who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is re-appointed to

[2.54-2.57] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

Government service, the authority, which sanctions his re-appointment may, permit him to draw travelling allowance for so much of his journey to join his new post as falls within India as for a journey on tour without any allowance for halts on the journeys.

2.55. Omitted.

2.56. When travelling allowance is drawn under rules 2.53 and 2.54, the rate admissible is that of the grade to which the Government employee will belong, after joining his post.

SECTION IX– JOURNEYS ON TRANSFER

2.57. General conditions of admissibility.—Travelling allowance may not be drawn under this Section by a Government employee on transfer from one station to another unless he is transferred for the public convenience and is entitled to pay during the period occupied by the journey. A transfer at his own request should not be treated as a transfer for the public convenience unless the authority sanctioning the transfer, for special reasons which should be recorded, otherwise directs.

Note 1.—A Government employee appointed to a post under the Punjab Government as a result of competitive examination which is open to both Government employees and others:—

- (a) if already holding a substantive appointment, under Government (including other Governments in India) should be granted travelling allowance for joining the post, and

- (b) if already employed in a temporary capacity under Government (including other Governments in India) should not be granted travelling allowance for joining the post, unless in any particular case, the competent authority otherwise directs.

Note 2.—No travelling allowance shall be admissible in cases where no change of residence is involved consequent on the transfer of a Government employee, as it is quite contrary to the spirit of the rules to allow Travelling Allowance when no move has actually taken place.

Audit Instruction—When a Government employee is transferred otherwise than for the public convenience, a copy of the order of transfer should be sent to the audit officer of the circle of audit in which he is serving, with an endorsement stating the reason for transfer. In the absence of such an endorsement the audit officer shall assume that the Government employee has been transferred for the public convenience. In the case of Group 'C' or Group 'D' Government employees, a certificate from the head of the office will be accepted in lieu of the copy of the order of transfer.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.58-2.59]

2.58. A Government employee may draw travelling allowance under this section for a journey on transfer from military to civil employ.

2.59. (a) Unless in any case it be otherwise expressly provided in these rules, a Government employee is entitled for a journey on transfer, to the following concessions:

1. For journeys by rail or steamer:

- (i) He may draw actual fare of the class of accommodation to which his grade entitles him and daily allowance for himself and for each member of his family irrespective of the age.
- (ii) He may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is actually paid and one half fare for each child for whom such fare is actually paid.

Note 1.—Government employee and/or his family member(s) may travel by road transport viz. motor omni bus etc. between stations connected by rail and charge actual fare paid for such transport, supported by actual car tickets or the railway fare(s) of the class to which he is entitled, whichever is less, and draw, in addition, full daily allowance for journey on transfer. In case a Government employee travels by omni bus, a certificate to the effect that the amount charged was actually incurred as bus fare(s) should be given.

Note 2.—The concession as envisaged under Note (5) below rule 2.24 (A) may be availed of for journeys on transfer also.

- (iii) The employee shall be entitled to the transport charges for carriage of their personal effects on transfer, according to the following scales:—

TABLE

Grade of Government employees	Officer possessing no family	Officer possessing family
	Quintals	Quintals
First	30	45
Second	30	45
Third	20	30
Fourth	15	20
Fifth	15	20

The packing charges shall be Rs. 10 per quintal. For the carriage of personal effects, the employee shall be reimbursed either the transport charges admissible

[2.59] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]
by

road or the actual transport charges admissible by rail plus an amount not more than the twenty-five per cent thereof. In addition, one fare of the entitled class shall be allowed to the employee himself on his transfer when his family does not accompany him in the first instance.

Note 1.—If a Government employee carries his personal effects by passenger, instead of by goods train he may draw the actual cost of carriage up to a limit of the amount which would have been admissible, had he taken the maximum number of quintals by goods train.

Note 1-a.—Subject to the prescribed maximum number of quintals, a Government employee who carries his personal effects by air, may draw actual expenses up to the limit of the amount which would have been admissible had he taken the same quantity by passenger train (up to the limit of the amount which would have been admissible had he taken the maximum number of quintals by goods train), road or steamer, as the case may be, under normal rules.

Note 2.—Charges for the transport of personal effects, tents and motor cars of a Government employee on transfer may be admitted in audit if they do not for good and

sufficient reasons accompany him but are carried within a reasonable time before or after the date of his journey on transfer.

Note 3.—Claims preferred under this rule for the carriage of personal effects should be admitted in all cases at the lowest available rates for “smalls”. “Smalls” are defined as goods which of themselves do not constitute a working-load for the unit of railway transport, the wagon. The minimum load constituting a wagon load is specified by each of the railways who quote reduced rates for wagon loads in its tariffs.

Note 4.—Subject to the prescribed maximum number of quintals a Government employee may draw the actual cost of transporting personal effects to his new station from a place in India other than his old station (e.g. from a place where they are purchased en route, or have been left on the occasion of a previous transfer) or from his old station to a place in India other than his new station, provided that the total amount drawn, including the cost of transporting these personal effects, shall not exceed that admissible, had the maximum number of quintals been transported by goods train from the old to the new station direct.

Note 5.—Motor cars or other conveyances shall be deemed a part of personal effects for the purpose of this rule in all cases where a Government employee is entitled to travelling allowance for transport under rule 2.59 (a) (i).

Note 6.—The cost of transportation of personal effects on transfer may be allowed, subject to the maximum number of quintals prescribed under this rule, at the “Quick Transit Service” rates, if personal effects are actually transported by such service. A certificate to the effect that the personal effects were transported by the “Quick Transit Service” and that they reached the destination within the specified period, should be recorded by the claimant on the Travelling Allowance Bill.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.59]

(iv) He may draw the cost of transporting at owner’s risk, conveyances on the following scales:—

TABLE

Grades of Government Employees	Entitlement
First and Second	One motor car or motor cycle or ordinary cycle.
Third and Fourth	One motor cycle or ordinary cycle:

Provided that –

(1) the distance travelled exceeds 128 kilometres;

- (2) the Government employee is travelling to join a post in which the possession of a conveyance is advantageous from the point of view of his efficiency; and
- (3) conveyance is actually carried by rail, steamer, or other craft.

Note 1.—In the case of a motor car, the cost of transporting a chauffeur may be drawn.

Note 2.—When a Government employee transports his motor car or motor cycle by road under its own power between stations connected by rail or steamer or partly by rail and partly by steamer, he may draw an allowance not exceeding an amount equal to forty per cent of the mileage allowance admissible for that kind of vehicle under rule 2.24-D. The distance to be reckoned for the purpose of this concession shall be limited to the distance between the stations by rail or steamer or both combined or the actual distance travelled by the vehicle so transported, whichever is less. If the Government employee himself and or any member of his family travels by such vehicle, he may at his option, draw in lieu of this allowance the railway fare which would have been admissible, if the journey had been performed by rail. No railway fare will be allowed for the chauffeur even though he actually travels by rail.

Note 3.—The actual cost of transporting includes empty haulage charge, if any is levied by the railway authorities, for a covered carriage, or a motor car, truck if one is not available at the station of dispatch, and has to be obtained from elsewhere. When a conveyance is transported by steamer, the actual cost of transporting it may, for purpose of this rule include besides the freight other incidental charges such as ghat pass, river dues, loading and unloading charges.

Note 4.—If a Government employee possessed a conveyance at the station from which he is transferred, he may draw the actual cost of transporting a conveyance from a place in India other than his former station: provided that the amount so drawn shall not exceed that admissible had the conveyance been transported from the old to the new station direct, and provided further that the conveyance is actually transported to the new station within a reasonable time before or after the officer is transferred. In the case of Government

[2.59] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]
employee

who has not possessed a conveyance in the station, from which he is transferred, but takes one to the new station from some other place, the above expenses may be allowed, with the sanction of Government.

Note 5.—When a Government employee, who is transferred from a post in which the possession of a conveyance is advantageous from the point of view of his efficiency to another post in which it is not advantageous, is again transferred within a period not exceeding four months, to a post in which the possession of the conveyance is advantageous from the point of view of his efficiency, he may draw the cost of its transport, from the first

station to the last station: provided that the conditions in sub-clause (iv) are fulfilled and he certifies that the conveyance was possessed by him at the first station.

Note 6.— Omitted.

Exception: A Government employee who travels by a Government steamer is not entitled for the journey by steamer to the concessions allowed by this clause. He is entitled to free transport of himself, his family, servants and their bonafide personal effects and of conveyance subject to the limits prescribed in sub-clause (iv) and may draw in addition the daily allowance of his grade.

Note.—The expression “free transport of bonafide personal effects” is not intended to include incidental charges incurred by an officer travelling by a Government steamer.

II For a journey by road:

(i) He may draw two mileages at the rate to which his grade entitles him, a third if two members of his family accompany him and a fourth, if more than two members accompany him.

(ii) (a) The employee shall be entitled to the transportation charges for carriage of their personal effects by road in the following scale, namely: —

TABLE

Grade of Government employees	Entitlement
First and Second	Two Trucks
Third	One Truck
Fourth and Fifth	One Truck

Explanation.— The carrying capacity for the purposes of the household goods for,—

(i) one truck shall be considered to be 90 quintals; and

(ii) a mini truck shall be considered to be 40 quintals.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.59]

(b) The rates for carriage of personal effects by road shall be fixed by the State Transport Commissioner from time to time, who shall determine the distance between two stations (by road, by shortest routes) and also fix the rates per truck per quintal per kilometre: Provided that the State Transport Commissioner, may fix separate rates, for journey covering smaller distance, if necessary.

Note 1.—Children whatever their age, are included in the term “members of family” as used in clause I (ii) above.

Note 2.—Appendix H prescribes the ordinary means and the rates for free transport by road of personal effects of Government employees on transfer under this rule.

Note 3.—If the number of quintals of personal effects transported by a Government employee exceeds the limits prescribed in clause II (ii) of this rule, he may draw actual expenses subject to the limit of amount which would have been admissible if the maximum number of quintals had been transported by him.

(b) The following explanations are given of terms employed in rule 2.59 (a):—

(i) The term “personal effects” is not subject to definition, but the controlling officer must satisfy himself that a claim to reimbursement on account of their transportation is reasonable.

(ii) The term “motor cycle” includes a side-car.

(iii) A member of a Government employee’s family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. If such member travels to the new station from a place other than the Government employee’s old station, the Government employee may draw the actual fare for the journey made by such members, by rail or steamer plus the road mileage, if any, at the rate and subject to the conditions prescribed in clause (a)II(ii) for the actual distance of the road journey performed by such member: provided that their sum shall not exceed the total mileage allowance that would have been admissible had such member proceeded from the old to the new station. For the purpose of this rule, the grade of a Government employee should be determined with reference to the facts on the date of his transfer while the number of fares admissible should be determined with reference to the facts on the date of the journey in respect of which the travelling allowance is claimed subject to the condition that no travelling allowance would be admissible in respect of a member added to the family after the date of transfer.

(c) Tents supplied by Government are transported at the expense of Government. Tents purchased and maintained by a Government employee himself

[2.59-2.61] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

may be transported at the expense of Government: provided that they do not exceed a scale to be prescribed in this behalf by a competent authority as suitable to

a particular Government employee or class of Government employees. If they exceed this scale, the excess may be treated as part of personal effects.

(d) A Government employee who claims higher travelling allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the number and relationship of the said members.

(e) A Government employee claiming the cost of transporting personal effects, must support his claim by a certificate that the actual expenses incurred was not less than the sum claimed. He should state in the certificate the weight of personal effects actually carried and the amount actually paid for their transport separately by rail, road, steamer or other crafts and the Controlling Officers should record a certificate that he has actually scrutinised the details and satisfied himself that the claim is reasonable.

Note.—Every claim for the actual cost of transporting personal effects made in a travelling allowance bill on transfer should be supported by receipts and vouchers, whenever possible, in respect of the expenditure incurred. The railway and steamer authorities grant receipts for the charges actually paid when personal effects and the like are booked by rail or steamer and there should be no difficulty in producing the receipt in such cases.

(f) A Government employee claiming the cost of transporting a conveyance by rail or steamer must support his claim by the railway or steamer receipt. In case, where the receipt has been lost or has been surrendered to the railway or steamer authorities without a cash receipt having been obtained in exchange and where the production of a duplicate receipt is likely to involve a disproportionate amount of trouble, the audit officer may, at his discretion, dispense with the production of the receipt and accept a certificate to the effect that the amount claimed was not more than the expenses actually incurred.

2.60. A Government employee transferred from one post to another who under the orders of the competent authority, is permitted to hand over charge of his old post or to take over charge of the post at a place other than the Headquarters, is entitled to:—

- (1) actual fare plus full daily allowance from the place of handing over the charge to the place of taking over; for himself as well as for each member of his family irrespective of the age;
- (2) all the further concessions admissible under rule 2.59 (a).

2.61. A Government employee who, in consequence of his transfer or deputation on a course of training in which travelling allowance at transfer rates is allowed, is obliged to send his family to a station other than his new headquarters or place of training, may draw travelling allowance for his family to that other station,

subject to the condition that it does not exceed the travelling allowance which would have been admissible, if his family had accompanied him to his new headquarters or place of training.

2.62. Government employees whose duties involve constant travelling by railway.—The members of the railway police or other Government employees, whose duties involve constant travelling by railway specified in rule 2.49 may draw travelling allowance under that rule for journeys on transfer within the limits of the railway to which they are attached, and are entitled, in addition to a free pass or fares for their families; provided that they must not draw daily allowance for halts in the course of the journey unless such halts are made in connection with their duty. When transferred from one railway to another, they are entitled to travelling allowance under rules 2.57 to 2.59, as on transfer.

2.63. Government employees appointed to a new post while in transit.—A Government employee appointed to a new post, while in transit from one post to another is entitled to draw travelling allowance under this Section for so much of the journey on transfer as he has accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station.

2.64. Government employee taking short leave before joining post.—A Government employee, who goes on leave not exceeding 120 days after he has made over charge of his old post and before he has taken charge of his new post, is entitled, whether the order of transfer is received before or after the commencement of his leave, to travelling allowance under this Section from his old headquarters to his new station.

Note.—The provisions of Note (4) to clause I(iii) and of Note (5) to clause I (iv) of rule 2.59 (a) apply here also.

2.65. A Government employee who received order of transfer while on leave not exceeding 120 days, at a station other than his headquarters and proceeds by railway direct therefrom with his family to join his new post, travelling by a class lower than that to which he is entitled, may draw travelling allowance as below:—

- (i) For self :—
 - (a) Actual railway-fare for the direct railway journey, plus
 - (b) Full daily allowance from the old to the new station.
- (ii) For family:—

For each member, one or half fare, as the case may be, as in (i) (a) above subject to the provisions of rules 2.59 (b) (iii).

[2.65-2.68]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 2]

Note.—In the case of an officer who proceeds to the new station partly by the class of accommodation to which he is entitled and partly by a lower class, the one fare referred to in clause (i) (a) should be calculated partly by the class of accommodation to which he is entitled and partly by the lower class actually used in proportion to the distance actually travelled by those classes from the station at which leave was being spent to the new station even though the total amount actually paid by the officer be more than what would have been admissible for a direct journey from the old to the new station by the appropriate class of his grade.

2.66. Government employee taking long leave while in transit.—A Government employee who takes leave exceeding 120 days while in transit from one post to another, may draw travelling allowance as on transfer under rules 2.58 or 2.59(a) except the transportation charges of his personal effects and conveyances, for so much of the journey to join the new post as he has accomplished before the order granting his leave is received in addition to any allowance admissible under rule 2.67.

2.67. Government employee posted to a new station on return from long leave.—(1) When on return from leave exceeding one hundred and twenty days a Government employee is posted to a station other than that at which he was posted when he went on leave, the Controlling Officer may permit him transportation charges of his personal effects and to recover the travelling allowance under sub-clause (iii) and (iv) of clause I and sub-clause (ii) of clause II of sub-rule (a) of rule 2.59 as for a journey from his old to his new station.

(2) In cases where a Government employee has been on leave for more than one hundred and twenty days either on medical grounds or on study leave, and is posted to another station on return from such leave, he may be allowed full transfer travelling allowance, as admissible under the normal State Travelling Allowance Rules.

Note.—The provisions of Note 4 to sub-clause (iii) and Note 5 to sub-clause (iv) of clause I of sub-rule (a) of rule 2.59 apply here also.

2.68. When a Government employee under the administrative control of one Government is transferred to the control of another Government which had made rules prescribing amounts and conditions of travelling allowance, his travelling allowance for the journey to join his post under the borrowing Government and for the return journey will be governed by the rules of the borrowing Government

relating to travelling allowance on transfer. This rule will also apply even to cases where the Government employee takes leave either before joining that post or before returning to his original post.

Note.—The controlling officer for the purpose of travelling allowance for the journey of a Government employee to join his post under a borrowing Government as well as for the return journey, will be the Controlling Officer in regard to his post under that Government.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.70-2.73]

SECTION X— JOURNEY TO A HILL STATION

2.69. Omitted.

2.70. Journey made under the orders of superior authority.—A Government employee, who travels on duty, to a hill station, within his sphere of duty, or is required by the orders of a superior authority to travel to a hill station on duty, may draw travelling allowance during his absence as for a journey on tour. Such a Government employee will, however, forfeit all claims to travelling allowance for the halt at the hill station and the journey between the hill station and the stations visited immediately before and after the halt at that station, other than permanent travelling allowance, if he prolongs his stay at the hill station, beyond a period of one hundred and eighty days or the period necessary for the performance of the duty on which the journey is made, whichever is less.

2.71. Omitted.

SECTION XI— JOURNEY TO A STATION OTHER THAN A HILL STATION

2.72. When a Government employee is permitted for his own convenience, to perform his duties at a station other than his headquarters, he is not entitled to daily allowance or mileage allowance for the journey to or from such station or for the period during which he halts at it, and such Government employee must go to the station and back to his place of duty, wherever that may be, without expense to Government. A competent authority may decide what should be considered to be the place of duty.

SECTION XII—JOURNEY TO ATTEND AN EXAMINATION

2.73. General rule.—Except for halts on the journeys, a Government employee is entitled to draw travelling allowance at tour rates for the journey to and from the place at which he appears for an examination of any of the following kinds: –

- (a) An obligatory departmental examination.
- (b) In the case of military officer in civil employ, an examination for promotion in military rank.
- (c) In the case of a Medical Officer, Assistant Medical Officer an examination designed to test his fitness to rise above an efficiency bar in a time scale:

Provided that:—

- (1) Travelling allowance shall not be drawn more than twice for any particular examination; and

[2.73-2.77] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

- (2) A competent authority may disallow travelling allowance under this rule to any candidate who, in its opinion:—

- (i) has culpably neglected the duty of preparing himself for an obligatory examination.
- (ii) does not display a reasonable standard of proficiency in an examination which is not obligatory.

- (d) Any other examination specified by the competent authority.

Note.—For a list of examinations specified by competent authority under clause (d) see **Appendix-L.**

2.74. With the sanction of competent authority, travelling allowance under this Section may be permitted to a Government employee who, while travelling or during the examination, is on earned leave not exceeding 120 days. The travelling allowance admissible in such cases would be that admissible from his previous (where he was last on duty) headquarters to the place of examination or from the place where he is spending his leave to the place of examination, whichever is less.

SECTION XIII— JOURNEY WHEN PROCEEDING ON OR RETURNING FROM LEAVE OR WHILE UNDER SUSPENSION.

2.75. General rule.—Except as otherwise provided in these Rules, a Government employee is not entitled to any travelling allowance for a journey made during leave or while proceeding on or returning from leave or while under suspension. A competent authority may, for special reasons which should be recorded, permit any Government employee to draw for such a journey, travelling allowance as for a journey on tour. For this purpose a Government employee under suspension shall be regarded as in the grade to which he belonged before suspension.

Note.—Travelling allowance under this rule will be regulated by the pay and grade of the post which a Government employee would have held had he not proceeded on leave.

Exception 1. Omitted.

Exception 2. Omitted.

2.76. Omitted.

2.77. Government employees recalled to duty from leave.—(a) When a Government employee is compulsorily recalled to duty before the expiry of his leave and the leave is thereby curtailed by not less than one month, he is entitled to draw mileage allowance for the journey from the place at which the order of recall reaches him or, if the return journey involves travelling by sea, from the port at which he lands in India, to the station to which he is recalled. If the period by which the leave is

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.77-2.79]

curtailed is less than a month, mileage allowance may be allowed at the discretion of the authority recalling the Government employee.

(b) If the Government employee, recalled to duty is entitled to travelling allowance under rule 2.64, he may not draw mileage allowance under clause (a) of this rule, unless he abandons his claims to the mileage allowance for himself specified in rule 2.59 (a) I(i) and II (i).

2.78. Travelling allowance during joining time when proceeding to or returning from a place in remote locality from or to a specified station.—A Government employee entitled to joining time when proceeding from a specified station to join a post in a place in a remote locality which is not easy of access or when returning from such a place in a remote locality to a specified station, may draw travelling allowance for the journey as for a journey on transfer.

Note.—This rule governs travelling allowance admissible in the case of leave or leave-cum-transfer of a Government employee to whom rule 9.1(d) of the Rules in Volume I (Part-I) of these Rules applies. The travelling allowance in the case of a straight transfer of such a Government employee is regulated by the rules in Section IX (Journeys on transfer) of this Chapter.

SECTION XIV— JOURNEY BY THE FAMILY OF A GOVERNMENT EMPLOYEE ON HIS DEATH

2.79. (1) A competent authority may grant to the family of a Government employee who dies while in service the concessions for the transport at Government expense of the family as defined in rule 2.17 of the Punjab Civil Services Rules,

Vol. I, Part I and personal effects, provided the journey is completed within one year after the death of the Government employee.

(2) Travel expenses will be admissible by the shortest route from the last headquarter of the Government employee to his normal place of residence which shall be the permanent home as entered in his service book or record or such other place as might have been declared to be the permanent home by the Government employee, while in service.

(3) The amount of travel expenses payable to the members of the family will be:—

(a) for a journey by rail:—

(i) Actual fare plus one daily allowance of the class of accommodation to which the deceased Government employee was himself entitled for each member of family irrespective of the age.

[2.79]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 2]

(ii) Actual cost of transportation of personal effects on the scale as admissible under rule 2.59(a) I (iii).

(b) for journey by road:—

(i) Actual fare plus one daily allowance for each member of the family of the deceased Government employee irrespective of the age at the rate applicable to the deceased Government employee.

(ii) Actual cost of transportation of personal effects on the scale as admissible under rule 2.59 (a) II(ii).

(4) If at the time of the death of a Government employee a member of his family happens to be at a station other than the Government employee's last headquarters or being there proceeds to a station other than the normal place of residence such member may draw the actual fare for the journey made by rail or steamer, road mileage for the actual distance of road journey and cost of transport of personal effects from the place where he was at the time of the Government employee's death to the place to which he actually travelled provided that the total expenses shall not exceed the total mileage allowance and cost of transportation of personal effects up to the prescribed limit that would have been admissible had such member travelled from the headquarters of the Government employee to the normal place of residence.

(5) This rule will not apply to:—

- (a) Government employees engaged on contract and those who are not in the whole time employment of Government.
 - (b) Government employees paid out of contingencies.
 - (c) Government employees who die while on leave preparatory to retirement.
 - (d) Retired Government employees who have been re-employed.
 - (e) Temporary Government employees who have been re-employed.
- (6) An advance to meet travelling expenses may be sanctioned subject to the following terms and conditions: –
- (i) An advance may be sanctioned by the authority who would have been competent to countersign the Travelling Allowance claim if the officer were alive.
 - (ii) The amount of the advance may be limited to 3/4th of the probable amount of travelling expenses that may be admissible.

- (iii) The advance will be admissible to only one member of the family of the deceased Government employee on behalf of all. It should be the widow/widower or any other member of the family (within the definition of term “family”) who is a major and of sound mind. The decision of the sanctioning authority as to whom the advance may be given shall be final. After the advance is sanctioned by the competent authority it may be drawn by the Head of the Office and paid to the member of the family authorized in this behalf.
- (iv) Only one advance will be admissible irrespective of the fact that the members of the deceased Government employee’s family travel in separate batches from the same or different stations.
- (v) The account of the advance drawn should be rendered within one month of the completion of the journey if the family travels in one batch. In case the family travels in more than one batch the account may be rendered within one month after the completion of the journey by the last batch. In any case the journey must be completed before the stipulated period

of one year and the account of the advance rendered within one month of the expiry of the stipulated period at the latest. The advance should, however, be refunded forthwith if the journey is not completed within the stipulated period.

- (vi) The surety of permanent Government employee of status comparable to or higher than that of the deceased Government employee should be obtained in the prescribed form before the advance is sanctioned. The person receiving the advance should also give an undertaking in that prescribed form in writing to the effect that he/she would abide by the provisions contained in clause (v) above. This is necessary in order to enable the sanctioning authority to effect recovery of overpayments resulting from non-performance of journey within the stipulated period or non-submission of the adjustment bill within the prescribed period.
- (vii) The advance will be interest free and will be treated as an “advance recoverable”. The adjustment of the advance will be watched through Objection Book by the Accountant General (Accounts and Entitlements).

SURETY FORM

KNOW ALL MEN BY THESE PRESENTS THAT we (1)¹_____ (hereinafter called the ‘obligor’) and (2) †_____ (hereinafter called the surety) are held and fully and firmly bound unto the Governor of Punjab (hereinafter called the ‘Government’) for the sum of #_____, to the payment of which amount will and truly to be made, we jointly and severally bind ourselves and our respective heirs, executors, administrators, legal representatives and assigns by these presents.

¹ Herein insert the name of the individual to whom the advance is paid.

† Herein insert the name of the surety.

Here specify the amount of advance paid.

§ Insert the name of the deceased Government employee.

**Insert the normal place of residence of the Government employee a journey to which is admissible under the rules.

WHEREAS the Government has paid to the obligor a sum of Rs.# _____ (receipt of which sum the obligor hereby acknowledges) on account of advance of travelling expenses to the family of the § _____ deceased (hereinafter referred to as the 'family') for their journey to** _____ and for the transport of the personal effects of the said§ _____ deceased to ** _____.

NOW THE CONDITION OF THE ABOVE WRITTEN BOND is such that if the said obligor shall account to the satisfaction of the Government within one month of the completion of the journey to** _____ by the family if the family travels in one batch, or when the family travels in more than one batch, within one month of the completion of the journey by the last batch, or within one month of the expiry of the period of six months after the date of receipt of this advance whichever is earlier, for the proper expenditure of the aforesaid advance, then the above-written bond shall be void and of no effect but otherwise the bond shall remain in full force, effect and virtue. These presents further witness that:—

(a) any forbearance, extension of time, or indulgence on the part of the Governor of Punjab or any officer to the obligor whether with or without the knowledge or consent of the surety, shall not in any way release the said surety, his heirs, executors, administrators, legal representatives and assigns from his or their liability under the above-written bond;

[Chap. 2] TRAVELLING ALLOWANCE RULES [2.79-2.80]

(b) that the stamp duty on this bond shall be borne by the Government.

Signed and delivered by the above-named obligor in the presence of :—

1. _____
2. _____

Signed and delivered by the above-named surety in the presence of :—

1. _____
2. _____

Accepted for and on behalf of the Governor of Punjab in the presence of :—

1. _____
2. _____

SECTION XV— JOURNEY ON RETIREMENT

2.80 (1) A Government employee on retirement may be granted travelling allowance on the scale and the conditions set out in the succeeding paragraphs to enable him to proceed to the place where he intends to reside permanently after retirement.

(2) The travelling allowance referred to will be admissible in respect of the journey of the Government employee and members of his family from the last station of his duty to his home town or from his home town to the last station of his duty; provided he intends to settle down there permanently and in respect of the transportation of his personal effects between the same places. The precise entitlement under the concession will be as follows:—

(a) For journey by rail and/or steamer:—

(i) Actual fares including the tax on fares of the class of accommodation to which the Government employee was entitled on the date when he was last on duty in respect of self and each member of his family as defined in rule 2.17 of the Punjab Civil Services Rules, Volume I, Part I, irrespective of age, plus one daily allowance for himself and for each member of his family, irrespective of age.

(ii) Actual cost of transportation of personal effects in the scale admissible under rule 2.59 (a) I (iii).

(b) For journey by road:—

(i) Actual fare plus one daily allowance for self and for each member of the family who travels with him irrespective of age at the rate applicable to the Government employee on the date when he was last on duty.

[2.80] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

(ii) The transportation charges of personal effects on the scale admissible under rule 2.59 (a) II (ii).

(c) For journeys partly by one mode of travel and partly by another:—

As admissible under sub-paras (a) and (b) above, in so far as they are respectively applicable.

Note 1.—The actual cost of transporting a motor car or other conveyance maintained by a Government employee before his retirement is not reimbursable under these orders, but the motor car or conveyance may be treated as part of the personal effects for the purpose of application of the scale referred to in clauses (a) to (c) above.

Note 2.—No mileage allowance will be admissible for journeys between residence and the Railway Station or Bus Terminals as the case may be at either end.

(d) For journeys performed in the Officer's own car or in a private car between stations connected by rail/steamer:

As admissible under sub-para (b), limited to Railway/steamer fares admissible under sub-para (a).

(3) The grant of the concession will be further subject to the following conditions, clarifications and subsidiary instructions:—

- (i) The concession will be admissible by the shortest route from the last place of duty of the Government employee to his home town. The place which a Government employee may have declared to be his home town for purposes of leave travel concession by Punjab Government shall be regarded as his home town for the purposes of these orders also. Failing a declaration by the Government employee of his home town for the purpose of the leave travel concession, the place entered in his service book or other service record may be treated to be his home town.
- (ii) Where a Government employee wishes to settle down not in his 'home town' but at another place, he may be permitted to avail of the concessions up to the later place. In that event the amount reimbursable to him would be that which would have been admissible had he actually proceeded to his home town, or the amount reimbursable had the latter place been the 'home town' whichever is less.
- (iii) The concession may be availed of by a Government employee who is eligible for it, at any time during his leave preparatory to retirement or within six months of the date of his retirement: Provided that notwithstanding anything contained in rule 2.110, the time limit for the

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.80]

presentation of Travelling Allowance bill for shifting of personal effects on retirement shall be two years.

- (iv) The concession will be admissible to permanent Punjab Government employees who retire on retiring pension or on superannuation, invalid or compensation pension. It will not be admissible to Government employees who quit service by resignation or who may

be dismissed or removed from service or compulsorily retired as a measure of punishment.

- (v) The concession will also be admissible to (i) Quasi-permanent employees, and (ii) temporary employees who retire on attaining the age of superannuation or are invalided or are retrenched from service without being offered an alternative employment: provided that they have put in a total service of not less than 10 years under the Punjab Government at the time of retirement/invalidment/retrenchment.
- (vi) In the case of a person whose domicile is elsewhere than in India or who intends to reside permanently outside India after retirement the concession will be admissible up to the railway station nearest to the port of his embarkation. In the case of such a person who travels by air the concession of travelling allowance by rail/road under these orders will be admissible up to the airport of emplanement for himself and members of his family and up to the port of despatch for his personal effects.
- (vii) Where an officer is re-employed under the Punjab Government while he is on leave preparatory to retirement or within six months of the date of his retirement the concession admissible under these orders may be allowed to be availed of by him within six months of the expiry of the period of his re-employment.
- (viii) In the case of a Government employee who availed of the Leave Travel Concession during one year preceding the date of retirement or commencement of leave preparatory to retirement, as the case may be, the amount of travelling allowance admissible under this rule will be reduced by the amount reimbursed to him on account of the Leave Travel Concession as above. The amount to be deducted shall be the amount paid to him in respect of only the forward journey(s) to the home town performed by himself and/or the members of his family during the period of one year, mentioned above. Also in the case of a Government employee who avails of the leave travel concession for one way journey to home town during his leave preparatory to retirement, the amount of leave travelling concession, if any reimbursed

[2.80]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 2]

to him shall be deducted from the amount of travelling allowance admissible under this rule. Controlling Officers may, at their discretion, waive the condition of recovery in deserving cases of invalidment from

service. The recovery may not be made in respect of leave travel concession availed by the Government employee himself during the period of one year stated above, if owing to the exigencies of public service, he was not enabled to avail of the concession on the last occasion preceding the said period.

- (ix) In case of the family of a retiring Government employee, who do not actually accompany him the provisions of rule 2.59 (b) (iii) may be applied *mutatis mutandis*. A member of a Government employee's family who follows him within six months or precedes him by not more than one month may, therefore, be treated as accompanying him. The period of one month or six months, as the case may be, may be counted from the date the retiring Government employee himself actually moves. The claims of travelling allowance in respect of the family members will not be payable until the head of the family himself or herself actually moves.

These conditions may be waived of by the Controlling Officer in the case of invalidment from service.

(4) The Travelling Allowance claims admissible under this rule will be drawn on Travelling Allowance Bill forms like Transfer Travelling Allowance claims. The claims of the officers who were their own controlling officers before retirement, will, however, be countersigned by the next superior administrative authority. The certificates required to be furnished by the officers in respect of Transfer Travelling Allowance claims will also be required to be furnished in respect of claims for Travelling Allowance under this rule.

(5) Before reimbursing the Travelling Allowance admissible under this rule the countersigning authorities should satisfy themselves, as far as possible, that the claimant and members of his family actually performed the journeys to the home town or the other place to which he might have proceeded to settle there e.g., by requiring the production of original railway vouchers relating to transportation of personal effects, conveyance, etc.

(6) Payment of Travelling Allowance claims under this rule may be made by the Treasury Officer concerned in accordance with the provisions of sub-rule (2) of rule 22 of Punjab Treasury Rules 1985 i.e. he may make the payment of such claims even after the issue of a last pay certificate and without asking the retired officer to surrender the last pay certificate which will be required for the purpose of the finalisation of his pension.

(7) In regard to the grant of an advance of travelling allowance to such retiring Government employees it has been decided that such an advance may be sanctioned by the authorities competent to do so in cases of journeys performed during the leave preparatory to retirement but not in cases of journeys performed after the date of retirement.

(8) The concession admissible under this rule shall be admissible to all persons who retire on and after the 5th January, 1961.

(9) This rule does not apply to persons who:

- (i) are not whole-time employees of the Government or are engaged on a contract; or
- (ii) are paid from contingencies.

SECTION XVI

JOURNEY TO GIVE EVIDENCE OR TO ATTEND A COURT OF LAW AS ASSESSOR OR JUROR, OR TO OBTAIN MEDICAL TREATMENT, ADVICE OR CERTIFICATE, OR TO APPEAR BEFORE A MEDICAL BOARD, OR IN ATTENDANCE ON AN INCAPACITATED GOVERNMENT EMPLOYEE OR MEMBERS OF HIS FAMILY

2.81. Journey to give evidence.— (1) A Government employee whether he is on duty or on leave, who is summoned to give evidence of facts that have come to his knowledge in the discharge of his duties in any criminal case, or in any civil or revenue case, to which Government is a party, or in a case before a court martial or in a departmental enquiry held by a properly constituted authority, may draw travelling allowance as for a journey on tour, attaching to his bill, a certificate of attendance granted by the court or other authority summoning him. When he draws such travelling allowance, he may not accept any payment of his expenses from the court or the authority. Any fees which may be deposited in the court for the travelling and subsistence allowance of the witness, must be credited to Government. If the court in which he gives evidence is situated within 8 kilometres of his headquarters and no travelling allowance is, therefore, admissible for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the court may make.

Note 1.—A Government employee of a Vacation Department, when summoned to give evidence during vacation from a place other than his headquarters, is entitled to travelling allowance as on tour from his headquarters or from the place where he might be enjoying his vacation, whichever is less.

Note 2.—When a Government employee summoned as a witness in a criminal case, or in a civil case to which Government is a party, claims travelling allowance under this rule, a

certificate from the court should be attached to the bill showing the amount of travelling or subsistence allowance which he has been paid under the rules of the court. This certificate is required to enable the Audit Officer to determine the amount of travelling allowance due under these Rules.

Note 3.—This State Government have entered into reciprocal arrangements with the State Governments of Orissa, Himachal Pradesh, Bihar, Assam, U.P., Maharashtra, Tamil Nadu, Rajasthan, Madhya Pradesh, Andhra Pradesh, Karnataka, Kerala, Gujarat, J.&K., West Bengal and with the Government of India, for the payment of expenses of Government employees who are summoned by the criminal court to give evidence in their official capacity on the following lines:—

- (i) In criminal cases to which the State is a party a Government employee giving evidence regarding facts of which he has official knowledge will, on production of a certificate of attendance issued by the summoning court, be paid travelling allowance by the Government under whom he is serving.
- (ii) In criminal cases to which the State is not a party a Government employee giving evidence regarding facts of which he has official knowledge will be paid travelling allowance by the summoning court according to the rules under which such Government employee draws his travelling allowance for a journey on tour. In order to enable the court to assess the amount admissible to him, the Government employee should carry to the court a certificate duly signed by the Controlling Officer of the Government employee showing the rates of travelling and daily allowance admissible to him for a journey on tour. If the Government employee is his own Controlling Officer, the certificate will be signed by him as such.
- (iii) When a Government employee serving in a Commercial Department or when any other officer is summoned to give evidence as a technical or expert witness the pay of the Government employee concerned for the period of his absence from his headquarters and travelling allowance and other expenses due to him will first be borne by the Government under whom he is serving and subsequently will be recovered from the requisitioning Government.

Note 4.—A Government employee summoned to give evidence while on leave is entitled to travelling allowance under this rule from and to the place from which he is summoned, as if he were on duty.

Note 5.—This State Government have entered into reciprocal arrangement with the State Government of Haryana for the payment of expenses of Government employees of one State who are summoned to appear in their official capacity in departmental enquiries pertaining to the pre-reorganised Punjab to be held in the other State.

(2) A Government employee summoned to give evidence under any other circumstances, or to attend, a court of law as assessor or juror, by reason of his position as a Government employee, is not entitled to any payments other than

those admissible by the rules of court. If the court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses, he must

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.81]

credit that sum to Government before drawing full pay for the day or days of absence.

(3) A Government employee who is proceeded against under rule 8(2) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and is required to appear before an inquiry authority, may be treated on duty for the period so involved. If, during the course of the enquiry he is on leave, then he will be allowed travelling allowance as admissible for journey on tour subject to the condition that the amount thereof shall not exceed the amount admissible to him, had he undertaken the journey from his headquarters:

Provided that he will not be allowed any allowance for halts on journeys or at the station from the headquarters of the employee or from any place where the employee might be spending his leave.

Provided further that it is certified by the Head of Office that the journey was performed with his approval.

(3-A)(1) A Government employee whether on duty or on leave or under suspension against whom disciplinary proceedings are instituted shall be allowed travelling allowance as for a journey on tour including daily allowance for halts (restricted to a maximum of three days only) for the journeys undertaken by him to the stations where the official records relating to the disciplinary proceedings are available. The travelling allowance shall be allowed from the headquarters of the Government employee or from any other place where the Government employee may be spending his leave or where the suspended Government employee has been permitted on his own request to reside, but not exceeding what could be admissible had the journey been undertaken from the headquarters of the Government employee. The grant of the travelling allowance will be subject to the following further conditions :-

(i) the enquiring officer certifies that the official records to be consulted are relevant and essential for the preparation of the defence statement;

- (ii) the competent authority certifies that the original records could not be sent to the headquarters station of the Government employee or that the bulk of the documents rules out the possibility of copies being made out and sent to the headquarters station of the Government employee; and

[2.81] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

- (iii) the head of office under whose administrative control the Government employee is, certifies that the journey was performed with his approval.

(2) In the case of a Government employee not under suspension at the time of undertaking of the journey, the period spent in transit to and from and the minimum period of stay required at the place where official records are made available for perusal, shall be treated as duty or leave, as the case may be.

(3) In the case of a Government employee under suspension, who is subsequently reinstated in service, the period referred to in clause (2) above shall be treated as duty, leave or otherwise in accordance with the order passed by the competent authority under rule 7.3 of the Punjab Civil Services Rules, Volume I, Part I.

(4) (i) Where a retired Government employee is required to appear before an enquiry officer or in a court of law, as the case may be, the department at whose instance the enquiry is conducted or the judicial proceedings are instituted shall, on the spot, grant him travelling allowance and daily allowance as admissible on tour for the journey and halts calculated under the rules on the basis of last pay drawn by him from the place of his residence or any other place whichever is shorter in distance to the place where the retired Government employee is required to appear;

Where a retired Government employee against whom judicial proceedings are instituted by the Government after retirement and he has to attend such cases in a court of law from outstations, he shall be allowed travelling allowance and daily allowance as admissible on tour for the journey and halts he has to perform from the place of his residence or from any other place to the place of judicial proceedings, whichever is shorter, in distance:

Provided that travelling allowance and daily allowance for appearing in a court of law shall be paid only if the retired Government employee is honourably acquitted by the court:

Provided further that it is certified by the Inquiry Officer or the Court, as the case may be, that the journey was performed under appropriate orders and it was in the interest of public service;

(ii) It will be the sole responsibility of the retired Government employee who is called for evidence to satisfy the department referred to in clause (i) about the last pay drawn by him by showing the copy of last pay certificate given to him at the time of his retirement by the Drawing and Disbursing Officer of the office from where he retired. It will be the responsibility of the Head of Department or Head of Office or the Drawing and Disbursing Officer to ensure that copy of the last pay certificate duly

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.81-2.83]

signed by a competent authority is given to the retired Government employee for production, where necessary.

(iii) The expenditure will be debitable to and paid by the Department, at whose instance the enquiry is being conducted or at whose instance the judicial proceedings have been instituted.

(5) Where a Government employee after removal, dismissal or compulsory retirement from service is required to appear before an inquiry officer in the interest of public service, he may be allowed travelling allowance for a journey on tour from the place where the summons to attend the inquiry reaches him to the place of inquiry and back but not exceeding that to which he would have been entitled had he performed the journey from his home town to the place of inquiry and back. The travelling allowance will be regulated in accordance with the pay of the post held by the Government employee immediately before his removal, dismissal or compulsory retirement from service, as the case may be.

2.82. A competent authority may sanction travelling allowance under clause (1) of rule 2.81 in cases in which Government employees are compelled to answer criminal or civil cases brought against them in respect of acts done by them in the discharge of their official duty and in which Government has decided to undertake their defence at the public cost.

2.83. Journey to obtain medical advice or medical certificate.—(a) If, in order to obtain a medical advice a Government employee is compelled to leave a station at which he is posted and at which there is no medical officer of Government and travels to another station, he may, on production of a certificate from the Medical Officer consulted that the journey was, in his opinion absolutely necessary, draw travelling allowance for the journey.

(b) If a Government employee, being stationed at a place where there is no medical officer of Government, is required to obtain medical certificate from a

medical officer of Government, he may draw travelling allowance for the journey undertaken to obtain that certificate.

Note.—Travelling allowance is not admissible for a journey to obtain a medical certificate in support of an application for the original grant of leave or an extension of leave.

(c) If, having obtained such a certificate, he is required to appear before a medical board or committee or to appear before a nominated medical officer of Government for further opinion as to the necessity for the leave recommended in that certificate, he may draw travelling allowance for the journey undertaken to obtain that opinion. He may draw travelling allowance for the second and subsequent journey also, if any, provided that he produces a certificate from the medical officer concerned or the medical board or committee that he was required to undertake such

[2.83-2.86] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

journey or journeys at the behest of that authority.

Note.—Travelling allowance is not admissible for a journey to obtain a second medical opinion in support of an application for an extension of leave.

(d) The journeys contemplated by this rule should not be undertaken without the previous permission of the Controlling Officer, if such permission can be obtained without risk to the Government employee requiring medical advice.

2.84. Journey to appear before a medical board preliminary to retirement.—

(a) A Government employee, who is directed by his superior, in the interests of the public service, to apply for an invalid pension may, if he be required to make a journey in order to appear before a medical board, draw his actual travelling expenses subject to a maximum of the amount of travelling allowance calculated for the journey. If it be necessary for him to return to his headquarters after appearing before the medical board, he may draw his actual expenses subject to the same maximum. In both cases, his travelling allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interest of the public service and that he did not voluntarily seek retirement.

(b) A competent authority may allow actual expenses, as limited by clause (a) of this rule to be drawn by a Government employee, who voluntarily applies for an invalid pension, provided that the authority is satisfied that the circumstances of the applicant are such as to justify the concession.

(c) A Government employee, who has been directed to apply for or is in receipt of a wound or disability pension from State revenues, may for the journeys made to obtain a certificate from a medical board for the grant of or the continuance of his pension, draw his actual expenses, subject to a maximum of the amount of travelling

allowance calculated for the journey from his headquarters to the place where the medical board is held, and back.

(d) Except as provided in this rule, no travelling allowance is admissible for a journey undertaken in order to appear before a medical board.

2.85. Rates of Travelling Allowance under this section.—Travelling allowance under the rules in this section should be calculated as for a journey on tour but no allowance may be drawn for halts on the journeys. In case of a patient who is a family member of the Government employee he/she will be allowed single railway fare of the class to which Government employee is entitled or the fare of the class in which he/she actually travels and in case of journeys by bus single fare of the bus, whichever is less.

2.86. A medical officer of Government who considers that a Government employee on whom it is his duty to attend professionally, should leave his station to obtain further medical advice or treatment or to proceed on leave and that it is unsafe

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.86-2.88]

for him to travel unattended may, if he does not himself accompany him, arrange for an attendant to do so, and the attendant: –

- (a) If a Government employee, shall be deemed to have been travelling on duty, and may draw travelling allowance for the outward and return journey as for a journey on tour; and
- (b) If not a Government employee, may draw actual expenses, when the medical officer's opinion as to the necessity for the journey and for an attendant during it cannot be obtained before its commencement, a certificate from him that the journey with an attendant was necessary is sufficient for the purpose of this rule.

This rule also applies to the attendants on members of Government employee's family. The travelling allowance in their case will be the same as is admissible under rule 2.85 to members of Government employee's family.

2.87. In case of a Government employee entitled to free medical relief who is seriously ill, and the local medical officer in attendance is of opinion that a consultation is necessary, it is open to him to move the Director of Health Services to depute another medical officer for the purpose of consultation, and if an officer is so deputed, Government will bear his travelling expenses. In selecting an officer, the Director of Health Services should pay due regard alike to considerations of propinquity and to the interests of the patient.

SECTION XVII– JOURNEY ON A COURSE OF TRAINING

2.88. (1) (a) When a Government employee or a student not already in Government Service, is selected to undergo a course of training or a work-study course, he may be allowed travelling allowance and daily allowance at tour rates as indicated below: –

TRAVELLING ALLOWANCE:

- (i) Travelling Allowance for the original journey to and the last journey from the place of training.
- (ii) In the case of Training at a school, college or similar institution, travelling allowance for similar journeys on the occasions of holidays and vacations.
- (iii) Travelling allowance for journeys during the course of training.

DAILY ALLOWANCE:

(b) (i) In the case of a student not already in Government service who is selected to undergo a course of training or work-study course and in the case of a Government employee for a continuous halt during training or work-study course at a

[2.88-2.88A] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

place outside his headquarters, full daily allowance shall be allowed at tour rates for the entire period of training:

Provided that where free food or lodging is provided at Government expense and where the trainees, selected to undergo a course of training or work-study course, are unmarried the daily allowance shall be reduced to one half:

Provided further that where both food and lodging are given free to the trainees by the training institutes, the daily allowance shall be reduced to one-fourth.

(2) The tour rates of daily allowance shall be as follows:–

1. For a period not exceeding thirty days	.. Full daily allowance
2. For a period exceeding thirty days, but not exceeding one hundred and eighty days	.. One half of the daily allowance
3. For a period exceeding one	.. Nil

hundred and eighty days	
-------------------------	--

Provided that the admissibility of daily allowance at a place outside Government employee's headquarters, where boarding and lodging are not provided, shall be as follows:—

(i) For a period of first one hundred and eighty days	.. Full daily allowance
(ii) For a period of beyond one hundred and eighty days	.. Nil

Note:—Travelling allowance and daily allowance to a student not already in Government service will be determined with reference to the grade pay of the post for which he is a prospective candidate.

2.88A. (i) No travelling allowance should be allowed for the onward journeys in cases where the probationers join the training institutions direct on first appointments to Government service.

(ii) T.A as on tour may be allowed to the probationers who are already in Government service or who first join their respective Department or State of allotment and then proceed to join the training institute or where they move from one training institute to another. No daily allowance will, however, be admissible in any case for the periods of their stay in the training institutes, and

(iii) Travelling allowance as admissible under the normal rules may be allowed

[Chap. 2] TRAVELLING ALLOWANCE RULES [2.88A-2.91]

for tours to outstations undertaken from the training institutes as part of the training.

These Rules shall apply to the probationers who join the training institutes on or after 24th August, 1968.

2.89. Omitted.

SECTION XVIII— JOURNEY IN CONNECTION WITH DUTY FOR LOCAL FUNDS

2.90. (a) Except as provided in clause (b), the travelling allowance to Government employees for journeys performed in connection with a local fund is governed by the Rules of the Local Funds, and is payable from that source.

(b) When a Government employee who is an *ex-officio* member of a local body, travels to attend meetings of the local body or when a Government employee travels for purposes of supervision or control of affairs of a local body as a part of his regular duties, his travelling allowance shall be paid from the State revenues, and shall be governed by these Rules.

(c) When a Government employee paid from State revenues travels on duty connected with a local fund for which the travelling allowance is payable by the Local Fund he should prepare a separate bill for such journeys, but should forward this bill, if any, with the bill for the same month payable from State revenues to his controlling authority for the latter bill. This authority will scrutinise the bill, and will forward the bill payable by a local body to the local body concerned for necessary action under the rules of the Local Fund.

**SECTION XIX—TRAVELLING ALLOWANCE ADMISSIBLE WHEN
MEANS OF TRANSPORT ARE SUPPLIED WITHOUT
COST TO THE GOVERNMENT EMPLOYEE
TRAVELLING**

(i) Journeys by railway

2.91. The Financial Commissioners and Chief Secretary have been granted the general right to reserve by requisition one first class coupe or, failing that one ordinary first class compartment, when making journeys by railways on duty for over six hours duration or journeys, any part of which, falls between the hours of 11. p.m. and 6 a.m.

The procedure to be followed in submitting the requisition for reserved accommodation shall be such as may be prescribed by the Railway Board.

Note.—A first class compartment means a compartment with the smallest number of berths (or seats where seats only are provided) other than count compartments available in the train by which the Financial Commissioners are to travel.

[2.91A-2.92] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

2.91-A. When a Financial Commissioner or Chief Secretary travels in a reserved accommodation on tour: —

- (a) the entire cost of haulage is borne by Government;
- (b) any persons travelling with him in the reserved accommodation must pay the usual fares to the railway by the purchase of first class tickets, and in every bill for travelling allowance in respect of a journey performed in reserved accommodation he must specify the number of persons who

travelled with him and certify that necessary tickets were purchased by them;

Note.—The Financial Commissioner shall be required before beginning the journey to have the number and other details of the tickets purchased for the persons travelling with him in the reserved accommodation entered on the requisition form by the Station Master of the station from which the journey is commenced. This is necessary in order to enable an adjustment to be made between the Civil and Railway Department in respect of the fares realised by the railway.

When in the case of a Financial Commissioner, who travels in reserved railway accommodation no travelling allowance bills are received by the Audit Officer, but only debits are received on account of railway requisition; the Audit Officer will call for a certificate from him to the effect that the journey covered by the requisition was for public duty.

- (c) if he desires additional accommodation for his staff or luggage, he must make arrangements with the railway administration for the provision of such accommodation, the haulage and other charges being met at his expense;
- (d) he is entitled to draw no travelling allowance for the journey, but he shall draw full daily allowance;
- (e) the amount of luggage which may be transported free of cost, is the amount covered by the number of tickets which a member of the public would have to purchase to reserve such accommodation.

2.91-B. Free passes.—The issue of free passes for journeys by railway is regulated by rules made in this behalf by the Railway Board.

2.92. Free transit by railway otherwise than in accommodation reserved by requisition.—When a Government employee is entitled to or is allowed free transit by railway on a free pass or otherwise, the mileage allowance which he draws for the journey must, except in the case of Government employees whose duties require them to travel extensively by railway and who are covered by rule 2.49, be reduced by the amount of the fare which, but for such free transit he would have paid. This rule applies to cases in which a free pass is issued on any railway. The reduction made must include the full number of fares covered by the pass unless the Government

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.92-2.97]

employee certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

2.93. Government employee in receipt of permanent travelling allowance.—When a Government employee in receipt of permanent travelling allowance uses a free pass on a railway within his sphere of duty, he must deduct from his permanent

travelling allowance for the month the amount of the railway fares which he would have paid if he had not travelled on a pass.

2.94. Government employee permitted to travel in a higher class on payment of lower fare.—When a Government employee is permitted to travel by railway in a higher class on payment of a lower fare his mileage allowance must be reduced by the amount by which the fare of the class in which he travels, exceeds the fare actually paid.

2.95. Government employee travelling with a free pass on an un-opened line of railway.— A Government employee travelling with a free pass on an unopened line of railway or by railway trolley is entitled to the travelling allowance prescribed in rule 2.92.

(ii) Journeys by Sea or River Steamer

2.96. Journey by Government vessel.—When a Government employee travels by sea or river otherwise than on payment of passage money in a steamer the cost of which is paid by Government or by local fund, he may draw no travelling allowance except the daily allowance of his grade: provided that when his servants and luggage are not conveyed on the vessel but are sent separately at his expense, he may draw in addition the actual cost of transporting them.

Note.—Claims under this rule should be supported by receipts or when these are not available, by certificates.

2.97. Free transit by non-Government steamer.—When a Government employee is allowed free transit by sea or river steamer, otherwise than in a Government vessel, the mileage allowance, which he draws for the journey, must be reduced by the amount of the fare which, but for such free transit, he would have paid. If he travels on a free pass, the reduction made must include the full number of fares covered by the pass unless the Government employee certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

This rule does not apply to cases in which a Government employee is allowed a free pass by a steamship company without cost to Government unless the free pass is issued in connection with his official status or duties or as part of a regular arrangement with Government for the conveyance of mails, etc.

[2.98-2.100] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

(iii) Journey by Air

2.98. When a Government employee is allowed free transit by air in a machine owned or chartered by Government or by an Indian State, he is entitled to daily allowance, subject to the conditions laid down in rule 2.25-C.

2.99. A Government employee when making a journey by air, in a Government machine or in a machine chartered by Government for the purpose, shall pay a first class full or half railway fare, as the case may be, to Government on behalf of each person not entitled to travel in that machine who may accompany him.

Note.—If a Government employee wishes to take with him any “non-entitled” person in a Government machine or in a machine chartered by Government he should obtain the sanction of the Head of Department or if he himself is the Head of Department of the Administrative Department concerned. The sanctioning authority in giving such sanction should satisfy itself that no extra expenditure is caused to Government thereby.

(iv) Other Journeys

2.100. Free transit by boat, road, etc.—Except where otherwise expressly provided in these Rules, when, on a journey other than a journey by railway or by sea or river steamer or by air, a Government employee uses a means of locomotion provided at the expense of Government, a local fund or a court of wards estate and does not pay the cost of its use or propulsion, he is entitled to travelling allowance as follows: –

- (a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of his grade. If, however, part of the journey is made by other means of locomotion, he may, draw daily allowance, provided the distance travelled exceeds 25 kilometres.
- (b) If he has to provide separate conveyance at his own expense for his servants or luggage, he may draw the actual expenses plus daily allowance at full rates.

Note 1.—The Inspector-in-charge of the Mobile Police Patrol is permitted to draw the daily allowance admissible under this rule on those days only, when the distance travelled is more than 32 kilometres from his headquarters.

Note 2.—The provisions of this rule apply equally to journey made on transfer and journey on tour.

Note 3.—When a journey under this rule is combined with a journey by railway, the allowance, admissible to a Government employee should be regulated in accordance with the provisions of this rule. The additional full daily allowance under rule 2.45 is not permissible in such a case. The Government employees will not, however, be entitled to anything for journeys covered by this rule from duty point (that is the place or office of employment at his

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.100]

headquarters) to Railway Station and *vice-versa* except that, they will draw full daily allowance for the days of departure or arrival as the case may be under the normal rules.

Note 4.—The employees travelling by staff car or Government vehicle shall be paid full daily allowance in case the absence from headquarters is not less than six hours and if it is followed by night halt outside the headquarters, the Daily Allowance shall be admissible at the rates of the place of night halt.

Note 5.—Government employees who may be provided with cars at State expense are not entitled to the benefits of clause (b) of this rule, even if they make separate arrangement for the conveyance of their servants and luggage.

Note 6.—When a peon uses a cycle supplied at the expenses of Government for taking dak to offices situated beyond a radius of 8 kilometers from his headquarters, he may draw daily allowance, of his grade, if the journey involves an absence of at least one night from his headquarters, but he should not exchange it for mileage allowance.

Note 7.—When a Government employee performs a journey in a conveyance supplied at the cost of Government, a local fund or a court of wards estate from an ordinary locality to an expensive locality where he halts, the daily allowance admissible to him under this rule should be calculated at the basic rates given in rule 2.24-C and not at the enhanced rates allowed for expensive localities in rule 2.27, as the daily allowance is granted in lieu of mileage allowance. The rate of daily allowance will be on the basis of ordinary localities for the journey days, and at the rates fixed for expensive localities as in rule 2.27 *ibid* for the days of halt. In respect of journey from the expensive locality to another expensive locality/more expensive locality and *vice-versa*, the daily allowance may be allowed at the rates of less expensive locality instead of the basic rates given in rule 2.24-C.

Exception—(1) Secretaries to Ministers in the scale of Rs. 15600-39100+6600 Grade Pay and Private Secretaries in the scale of Rs. 15600-39100+5400 Grade Pay attached to Governor, Ministers, Speaker, Deputy Speaker, Deputy Minister and Chief Secretary to Government of Punjab, while travelling on duty with Governor, Minister, Speaker, Deputy Speaker, Deputy Minister and Chief Secretary to Government of Punjab in their cars or in Government transport are permitted to have daily allowance admissible to them under these rules for the entire journey, irrespective of the fact whether the stations between which the journey is performed, are connected by rail or not.

(2) Private Secretaries in the grade of Rs.15600-39100+5400 Grade Pay attached to Secretaries to Government, Personal Assistants in the grade of Rs. 10300-34800+4800 Grade Pay attached to Governor, Ministers, Speaker, Deputy Speaker, Deputy Minister, Chief Parliamentary Secretary and Secretary to Government, Stenographers, Steno-typists, Jamadars and Peons and members of the household staff of Raj Bhawan that is Manager, Household Store Keeper, Head House Bearers, House Bearers, Head Khidmatgar, Head Cook, Cooks, Head Driver, Drivers, Motor Cleaner, Khalasis and their Jamadars, Bhishties, Sweepers and Jamadars, Dhobi and

Mate Dhobi when required to travel in Government transport or staff car between stations connected by rail and Group 'C' and Group 'D' employees in the personal staff of the ministers when travelling in Minister's car between stations connected by rail are allowed to draw daily allowance admissible to them under these rules.

2.101. When a Government employee uses a staff car or is provided with means of locomotion as in rule 2.100 he should not draw travelling allowance under the ordinary rules by paying for petrol, etc. All the expenses incurred in respect of the propulsion of such vehicles will be borne by Government and the travelling allowance of the Government employee regulated under rule 2.100.

2.102. Omitted.

2.103. Chauffeurs of Government motor car.—The chauffeur of a motor car supplied at the expense of Government, when making a journey by road on the motor car in his charge, may draw travelling allowance under the provisions of rule 2.105.

Note.—While travelling on duty by Government owned transport, General Managers, Works Manager, Traffic Managers, Chief Inspectors and Station Supervisors of Government Transport Services, Punjab, shall be entitled to daily allowance only when they pass the night away from their headquarters or when the distance travelled is more than 48 kilometres from headquarters. Inspectors, Drivers and Conductors when on duty with the vehicle shall be paid daily allowance only when they pass the night away from their headquarters. These conditions will be subject to other conditions in these rules.

2.104. The following rules have been prescribed in respect of the drawing of travelling allowance by Government employees who accompany the Governor:—

- (1) If the Government employees travel in the Governor's special train consisting of nine carriages, i.e. the maximum number for a 'special' including wagons, servants, carriages, etc., the travelling allowance which they would ordinarily draw should be reduced by the amount of the fare which, but for such free transit, they would have paid. No refund to the Governor's Tour Fund is necessary, as no extra expenditure is incurred out of the grant on this account.
- (2) If the Government employees travel in an ordinary train, they should purchase their own tickets and draw the ordinary travelling allowance. No recoveries are necessary in this case unless their fares are, in the first instance, advanced from the Tour Fund, in which case the accounts of the fund should be adjusted by the Military Secretary.
- (3) In all cases, where full travelling allowance is drawn by the Government employees, it should be certified on the bills that the journey was

performed by an ordinary train, or in an extra carriage attached to the Governor's special train. On the authority of this certificate and on the

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.104-2.106]

understanding that the accounts of the Tour Fund will (if necessary) be adjusted by the Military Secretary, the travelling allowance charged by the Government employees will then be passed in full.

METHOD OF CALCULATING ALLOWANCE

2.105. When a Government employee who is supplied with means of conveyance without charge, returns to his headquarters on the same day, daily allowance, if admissible under rules 2.95, 2.96 and 2.100 will be calculated as under: –

Half : If the absence from headquarters is less than six hours.

Full daily allowance: If the absence from headquarters is not less than six hours.

Note 1.– See also Note (5) below rule 2.100.

Note 2.–When a Government employee, who, while on tour, is treated as a State Guest travels to another station in a conveyance provided at the expense of Government or a Local Fund and returns on the same day on which he departed from there, his daily allowance shall be regulated in accordance with the manner specified in this rule, provided that he does not get less daily allowance for the day than what would have been admissible to him if he had not moved from his place of halt.

Note 3.–When a Government employee is provided with free conveyance for part of the journey or for one way journey only (that is either for going from, or for return to headquarters) and he returns to his headquarters on the same day, the daily allowance if admissible under the rules, may be calculated as follows:–

Half Daily Allowance: If the absence from headquarters is less than six hours.

Full daily allowance: If the absence from headquarters is not less than six hours. He may, at his option, draw in lieu of the above daily allowance the mileage allowance admissible for the part of journey for which the conveyance is not provided free of charge, provided the distance travelled exceeds 25 kilometers.

SECTION XX–GOVERNMENT EMPLOYEES IN MILITARY EMPLOY

2.106. (a) Except as provided in clause (b) the travelling allowance admissible to Government employees in military employ is governed by military regulations.

(b) When a Commissioned Indian Military Officer of the regular forces, the Military police or the Militia, whether on the active or the retired list, invited to attend a darbar or levee, at a place other than that at which he is stationed or has his

residence, a competent authority may grant him travelling allowance for the journey, subject to the following limits:—

- (i) For the journey from his station or place of residence to the place at which the darbar or levee is held and thence back to his starting point single railway and steamer fares actually paid and actual travelling expenses for

[2.106-2.108A] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

journeys by road, subject to the maximum admissible to a Government employee of the first grade, when on tour.

- (ii) For halts at the place at which the darbar or levee is held, a daily allowance of Rs. 150.

SECTION XXI—CONTROL OVER TRAVELLING ALLOWANCE BILLS

2.107. Controlling Officer to be declared by competent authority.—A competent authority shall declare what authority shall be the Controlling Officer for travelling purposes of each Government employee or class of Government employees. It may, if it thinks fit, declare that any particular Government employee shall be his own Controlling Officer. A Controlling Officer shall not, without the sanction of a competent authority delegate to a subordinate his duty of counter signature.

2.108. Signature of Controlling Officers necessary on a travelling allowance bill.—No bill for travelling allowance of a Group ‘C’ or Group ‘D’ Government employee other than permanent travelling allowance, shall be paid unless it be signed or counter-signed by the Controlling Officer of the Government employee who presents it.

Note.—A certificate to the effect that there has been no change in the nature of duties of the Government employee or the extent of his touring to justify the withdrawal or reduction in the rates of the conveyance allowance shall be endorsed by the Controlling Officer on the pay bills of the Government employees concerned for the months of January, April, July and October, in each year.

2.108-A. Bill for travelling allowance of Group ‘A’ or Group ‘B’ Government employees.—No bill for travelling allowance of a Group ‘A’ or Group ‘B’ government employee shall be signed and paid unless the drawing and disbursing officer in addition to complying with the provisions of rule 2.109 is satisfied.—

- (i) that before undertaking the journey the Group ‘A’ or Group ‘B’ officer has got his detailed tour programme approved from the respective Controlling Officer, specifically indicating therein whether the journey shall be

performed by a private car or by any other means of conveyance viz., by bus or railway;

- (ii) that the Group 'A' or Group 'B' officer has submitted his tour notes in respect of the journey performed by him for which T.A. claim is put up by him to the Controlling Officer and that the Group 'A' or Group 'B' officer has given a certificate to that effect on the T. A. bill; and
- (iii) that the *ex post facto* sanction of the Controlling Officer for performing the journey by private car, if not already approved in the tour programme, and

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.108A-2.109]

the approval of the Controlling Officer with regard to any variations in the tour programme already approved by him has been obtained:

Provided that the bill for travelling allowance of the Drawing and Disbursing Officer himself shall not be paid unless it is signed by his controlling officer:

Provided further that the Commissioners of Divisions shall be their own Controlling Officers for the purpose of countersigning their own travelling allowance bills subject to the condition that before undertaking the journey they shall get their tour programme approved by the Financial Commissioner (Revenue), Punjab.

Exception:—These rules shall not apply to the staff of the Punjab Vidhan Sabha Secretariat.

2.109. It is the duty of a Controlling Officer, before signing or counter-signing a travelling allowance bill :—

- (a) to scrutinise the necessity, frequency and duration of journeys and halts for which travelling allowance is claimed and to disallow the whole or any part of the travelling allowance claimed for any journey or any halt, if he considers that journey was unnecessary or unduly protracted, or that a halt was of excessive duration;
- (b) to scrutinise carefully the distance entered in travelling allowance bills and to satisfy himself, by maintaining proper check register of bills signed or counter-signed by him, that a double payment for one and the same journey is not passed;
- (c) to satisfy himself that mileage allowance for journey by railway or steamer, excluding additional fare or fares allowed for incidental

expenses has been claimed at the rate applicable to the class of accommodation actually used, that concessional return tickets for the journeys or journeys charged for in the bill were purchased wherever and whenever possible, and that where the actual cost of transporting employee's personal effects, etc., is claimed under these Rules, the scale on which such servants, effects, etc., were transported, was reasonable and to disallow any claim which, in his opinion, does not fulfil that condition;

(d) to exercise care that there is no evasion or breach of the fundamental principle of travelling allowance, viz., that the allowance is not to be a source of profit, especially in the case of journeys by road performed by motor car;

(e) to observe any subsidiary rules or orders which a competent authority may make for his guidance;

[2.109] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 2]

(f) to satisfy himself that the Government employee actually bought a through ticket at the rate claimed and that it was not possible for him to get a through ticket at a cheaper rate by paying only for the appropriate class of accommodation over that portion of the journey where accommodation of that class was available.

Note.—In order to enable the Controlling Officers to discharge their responsibility all Government employees should, when submitting their T.A. Bills for counter-signatures append to their bills the certificates in the following forms. These certificates do not cover all the rules and the Controlling Officer will still have to exercise control otherwise also.

CERTIFICATES FOR JOURNEYS ON TOUR

Certified that I was/was not (i) provided with means of locomotion at the expense of Government, local fund or a court of wards estate for journeys by road (rule 2.100); (ii) allowed free transit by railway under a free pass or otherwise (rules 2.92 to 2.95) for any journey for which T.A has been claimed.

2. Certified that I travelled by rail/steamer on all days in the class of accommodation to which I am entitled except on _____ when I travelled by _____ class.

3. Certified that between stations connected by rail viz. _____ to _____ I performed the journey by car and incurred a sum of _____ as road fare, which is supported by actual car ticket.

3-A. Certified that between stations connected by rail viz. _____ to _____, I performed the journey by omnibus by getting a single seat and incurred a sum of _____, as road fare.

4. Certified that the journey by road was performed by motor car/motor cycle:

(i) which was a hired one and all the accommodation of which was reserved by me.

(ii) which was a private property, details of which are given below.

(iii) being my own property.

(iv) being a Government vehicle.

5. Certified that I did not perform the road journey, for which mileage allowance has been claimed at the higher rates prescribed in rule 2.24-D of the T.A Rules by taking a single seat in any public conveyance (excluding a steamer) which plies regularly for hire between fixed points and charges fixed rates. I also certify that the journey was not performed in any other vehicle without payment of its hire charges or incurring its running expenses.

[Chap. 2]

TRAVELLING ALLOWANCE RULES

[2.109-2.110]

6. Certified that the journey by road was performed by taking a single seat in a taxi, motor omnibus or lorry.

7. Certified that the journey beyond jurisdiction was performed under proper authority.

8. Certified that the number of kilometres shown in the bill are correct.

9. Certified that journeys on _____ were performed by Mail/Express Train in the interest of public service.

10. Certified that I was actually and not merely constructively in camp on Sundays and Holidays, for which daily allowance has been claimed.

11. Certified that I was not absent on casual leave during the period for which daily allowance has been claimed.

12. Omitted.

CERTIFICATES FOR JOURNEYS ON TRANSFER

1.
2.

} Same as for journeys on tour, in respect of the

3. Government employee and his family.

4.

5.

6.

7. Certified that the family members for whom T.A. has been claimed actually travelled with me or preceded/followed me within the time-limit prescribed for journeys on transfer.

8. } Same as for journey on tour
9. }

10. Certified that the actual expenses incurred, as cost of transporting personal effects was not less than the sum claimed in the bill.

11. Certified that I have transported _____ quintals of luggage on my transfer.

2.110. The right of a Government employee to Travelling Allowance, including daily allowance, is forfeited or deemed to have been relinquished if the claim for it is not preferred within one year from the date on which it became due.

CHAPTER 3

Authorities which exercise the powers of a competent authority under the various Travelling Allowance Rules.

Note 1.— Conservators of Forests have all the powers of a Head of Department for the Group 'C' and Group 'D' employees serving in the circles (as mentioned in rule 2.25(3) of the Punjab Civil Services Rules, Volume I, Part I, except powers mentioned in Serial Nos.16 and 20 of the Table below.

Note 2.—The Administrative Departments and Heads of Departments may re-delegate the powers delegated to them in the Table below, on their own responsibility and subject to such restrictions as they may like to impose, to any officer under them at their headquarters offices. Copies of all such orders should invariably be supplied to the Finance Department and the Accountant-General, Punjab.

Powers in respect of Serial Nos. 1, 10, 11, 25, 26 and 27 of the Table below may also be re-delegated subject to the conditions and restrictions stated above, to any authority who has been declared as a Controlling Officer for the purpose of counter-signing the travelling

allowance bills.

Sr. No.	No. of Travelling Allowance rule	Nature of Powers	Authority to which the power is delegated	Extent of power delegated
1	2	3	4	5
1.	2.2	Power to direct a Government employee to perform a journey in the interest of the public service for any purpose not specified in the rules.	1. Departments of Government. 2. Heads of Departments. 3. Superintending Engineers. 4. Heads of Offices.	Full powers in respect of travelling allowance at tour rates. Full powers in respect of travelling allowance at tour rates subject to the limitations of the power to sanction absence from sphere of duty, contained in Serial No. 6 of rule 15.1 in Volume I(Part I) of these Rules. Full powers in respect of Government employees under their control. Full powers in respect of Government employees whom they are competent to appoint.

[Chap. 3]

CONSENT ORDERS

[Sr. Nos. 1-3]

1	2	3	4	5
			5. Circle Education Officers.	Full powers in individual cases in respect of travelling allowance at tour rates to Government employees whose travelling allowance bills are counter-signed by them, provided that the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case.
2.	2.5 and 2.11	Power to grant a permanent travelling allowance or conveyance allowance.	1. Departments of Government.	For temporary posts which they are competent to create and provided that the allowances granted are the same as are sanctioned for permanent posts of the same description.

			2. Heads of Departments and other subordinate authorities who have power to create posts.	Ditto.
			3. Superintending Engineers.	For temporary posts which they are competent to create and provided that the allowances granted are the same as are sanctioned for permanent posts of the same description in respect of Government employees under their control.
3.	2.9 (Proviso 2)	Power to allow a Government employee to draw difference between double permanent travelling allowance and mileage allowance.	1. Departments of Government and Heads of departments.	Full powers.
			2. Honourable Judges of the High Court.	For Government employees whom they are competent to appoint and who are in grades not higher than grade II.

[Sr. Nos. 4-6]

THE PUNJAB CIVIL SERVICES RULES (VOLUME III)

[Chap. 3]

1	2	3	4	5
4.	2.9 (Proviso 3)	Power to permit a Government employee in receipt of permanent monthly travelling	1. Departments of Government.	Full powers provided the journey by road or rail is expressly authorised by the higher administrative authority.

		allowance to draw in addition to permanent travelling allowance mileage by road or actual expenses, whichever is less.	2. Excise and Taxation Commissioner	<p>1. In the case of Government employees in receipt of permanent monthly allowance to which the condition of maintaining a horse is attached in respect of journey performed urgently by an Excise and Taxation Inspector within his sphere of duty in circumstances where it is not possible for him to use his horse.</p> <p>2. Also in respect of journey performed urgently by an Excise and Taxation Inspector outside his sphere of duty in case in which Deputy Commissioner of Excise and Taxation certifies that such journey was necessary in the interest of Excise work or Passengers and Goods Tax work.</p>
4-A	Omitted.			
5.	2.17	Power to declare the grade in which a part-time or free paid Government employee shall rank.	Departments of Government.	Full powers, as regards grades not higher than grade II.
6.	2.19(b)	Power to decide the shortest of two or more routes.	1. Departments of Government.	In the case of any particular journey.
			2. Heads of Departments	In the case of any particular journey.

[Chap. 3]

CONSENT ORDERS

[Sr. Nos. 6-9]

1	2	3	4	5
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			3. Superintending Engineers.	In the case of any particular journey in respect of Government employees under their control.
7.	2.20	Power to permit mileage allowance to be calculated by a route other than the shortest or cheapest.	1. Departments of Government.	Full powers provided that the selection of such routes was in the interest of Government work.
			2. Heads of Departments.	Full powers provided that the selection of such routes was in the interest of Government work within their sphere of duty.
			3. Commissioners of Divisions.	Full powers provided that the selection of such routes was in the interest of Government work within their sphere of duty in respect of Government employees under their control.
			4. Superintending Engineers.	Full powers provided that the selection of such routes was in the interest of Government work within their sphere of duty in respect of Government employees under their control.
8.	Omitted.			
8-A.	2.24-D Note (7)	Power to grant T.A. without the production of actual car tickets, in cases in which the car tickets have been lost/misplaced or have not been preserved.	1. Departments of Government. 2. Heads of Departments.	Full powers, provided they are satisfied that the journey was actually performed by car and that the fare claimed is in accordance with the prevalent taxi rates.
9.	2.26	Power to declare a particular Government employee to be entitled to railway accommodation of a higher class than prescribed for his	Departments of Government.	In the case of any particular journey.

		grade.		
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[Sr. Nos. 10-14] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 3]

1	2	3	4	5
9-A.	Omitted.			
10.	2.35	Power to decide whether a particular absence is absence on duty for the purpose of rule 2.35.	1. Departments of Government.	Full Powers.
			2. Heads of Departments.	Full powers in individual cases only, provided that the absence is for reason of a public nature which should be stated and that the period of absence does not exceed 14 days in each case.
			3. Superintending Engineers	Full powers in individual cases only provided that the absence is for reason of a public nature which should be stated, and that the period of absence does not exceed 14 days in each case, in respect of Government employees under their control.
11.	2.37	Power to restrict the duration and frequency of tours.	1. Heads of Departments.	Full powers
			2. Superintending Engineers. 3. Divisional Forest Officers. 4. Secretary, Regional Transport Authority	Full powers in respect of Government employees under their control.
12.	2.39	Power to prescribe the scale of Government tents to be supplied.	Departments of Government.	Full powers.

13.	Omitted.			
14.	2.43	Power to permit exchange of daily allowance for mileage allowance during the whole period of a tour.	Departments of Government and Heads of Departments.	By special order in individual cases.

[Chap. 3]

CONSENT ORDERS

[Sr. Nos. 15-18]

1	2	3	4	5
15.	2.47	Power to allow the actual cost of maintaining a camp during a sudden journey away from it.	1. Departments of Government.	Full powers.
			2. Heads of Departments.	By special order in individual cases.
16.	2.48	Power to prescribe the scale of camp equipment, servants, horses etc., to be carried at Government expense by a Government employee allowed to receive the actual cost of the first or last journey of an extensive tour.	1. Departments of Government.	Full powers.
			2. Heads of Departments	By special order in individual cases.
17.	2.50.	Power to permit a Government employee to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible.	Departments of Government.	In individual cases only of Group 'C' and Group 'D' Government employees.
17-A	2.50 (a)	Power to permit drawal of actual cost of hiring a conveyance for local journeys to officers who are provided with staff cars or who are entitled to use staff cars while they travel by air or by rail between Chandigarh and Delhi or other places connected by air or rail.	Heads of Departments.	Full powers subject to the provisions of rule 2.31 of the said rules and such other conditions as may be laid down by Government from time to time.

18.	2.50	Power to permit recovery of the actual cost of maintaining camp equipage during a halt at or near headquarters.	1. Departments of Government and Heads of Departments.	By special order in individual cases.
			2. Superintending Engineers.	For all Group 'A' and Group 'B' Government employees (permanent and temporary) under their control and subordinates in Sub-Divisional charge.

[Sr. Nos. 18-20] THE PUNJAB CIVIL SERVICES RULES (VOLUME III) [Chap. 3]

1	2	3	4	5
			3. Executive Engineers.	For officers subordinate to them except Group 'A' and 'B' Government employees (permanent and temporary) and subordinates in Sub-Divisional charge.
18-A	2.52	To permit a Government employee or class of Government employees to recover the actual cost of maintaining camp equipage during a halt at headquarters or within 8 kms. of headquarters or during the interval between the Government employees departure from or arrival at headquarters and that of his camp equipage.	Departments of Government.	Full powers subject to the conditions laid down in clauses (a) to (f) of rule 2.52.

18-B.	Note below rule 2.59(a)-1(ii)	Power to grant T.A. without the production of actual car tickets in cases in which the car tickets have been lost/ misplaced or have not been preserved.	1. Departments of Government. 2. Heads of Departments.	Full powers provided they are satisfied that the journey was actually performed by car and that the fare claimed is in accordance with the prevalent taxi rates.
19.	2.59(a) (iii), Proviso I	Power to fix the maximum weight of personal effects lower than those prescribed by rule for transportation at Government expense by a Government employee on transfer.	Heads of Departments.	Full powers.
20.	2.59 (c)	Powers to prescribe the scale of tents to be carried at Government expense on transfer.	Heads of Departments.	Full powers.
21.	Omitted.			

[Chap. 3]

CONSENT ORDERS

[Sr. Nos. 22-23a]

1	2	3	4	5
22.	2.72	Power to decide in case of dispute or doubt what should be considered the place of duty for purposes of rule 2.72.	1. Departments of Government.	Full powers.
			2. Heads of Departments	Full powers in the case of Government employees whom they can appoint.
23.	Proviso 2(i) to rule 2.73	Power to disallow travelling allowance for a journey to attend an obligatory examination if the authority considers that the candidate has culpably neglected the duty of preparing for it.	Heads of Departments.	Full powers.

23 a.	2.73(d)	Power to allow travelling allowance for a journey to attend an examination to a Government employee who while travelling or during the examination, is on earned leave not exceeding 120 days.	1. Departments of Government.	Full powers provided that– 1. Travelling allowance shall not be drawn more than twice for any particular examination. 2. Travelling allowance is not allowed to any candidate who has culpably neglected the duty of appearing in an obligatory examination or does not display a reasonable standard of proficiency in an examination. 3. The examination is an obligatory Departmental examination.
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1	2	3	4	5
24.	2.75	Power to sanction travelling allowance to Government employees for journeys to attend conference while on leave.	Heads of Departments.	For journeys to attend conference in the public interest the travelling allowance being limited in amount to what would be admissible for a journey between the last place at which the Government employee was on duty prior to proceeding on leave and the place where the conference is held.
25.	2.75	Power to sanction the grant of T. A. in cases where a suspended Government employee is required by the suspending authority to make a journey for the purpose of attending a Departmental inquiry (other than a police inquiry).	1. Departments of Government.	Full powers for the grant of T.A at tour rates (without daily allowance) for halt from the Government employee's headquarters to the place where the departmental inquiry is held or from the place at which he has been permitted to reside during suspension to the place of inquiry, whichever is less. No T.A. will, however, be admissible if the inquiry is held at the out-station at his own request.
			2. Heads of Departments.	Full powers, as above in respect of Government employees whom they or their subordinate authorities can appoint.
26.	2.82	Power to sanction travelling allowance to a Government employee compelled to answer criminal or civil cases in certain circumstances.	Departments of Government and Heads of Departments.	Full powers.
27.	2.84 (b)	Power to allow the actual cost of a journey to appear before a	Departments of Government, and Heads of	Full powers.

		medical board preliminary to voluntary retirement on invalid pension.	Departments.	
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[Chap. 3]

CONSENT ORDERS

[Sr. Nos. 30-33]

1	2	3	4	5
28.	Omitted.			
29.	Omitted.			
30.	2.106 (b)	Power to grant travelling allowance to military officers, attending darbars or levees.	Departments of Government.	Full powers.
31.	2.107	Power to declare who shall be the Controlling Officer.	1. Departments of Government	Full powers, provided that they may not declare a Government employee to be his own Controlling Officer.
			2. Heads of Departments.	Full powers provided that a Head of Department may not declare a Government employee to be his own Controlling Officer.
32.	2.107	Power to permit a controlling officer to delegate his duty of counter-signature.	1. Departments of Government.	Full powers.
			2. Heads of Departments.	Subject to delegation being made only to a Group 'A' or Group 'B' Officer who is immediately subordinate to the controlling officer and is working in his own office.
33.	2.109(e)	Power to make rules for the guidance of Controlling Officers.	1. Departments of Government.	Full powers
			2. Heads of	Full powers only in respect of officers subordinate to

			Departments.	them.
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APPENDIX-A

Rules governing Travelling Allowance of Ministers, Speaker and Members of the Legislative Assembly.

(Not printed)

APPENDIX-B

(See rule 2.5)

POSTS CARRYING PERMANENT TRAVELLING ALLOWANCE

1. The following categories of employees working on the posts given in column 3 of different departments given under column 2, are entitled to Permanent Travelling Allowance, namely: –

TABLE

Serial No.	Name of the Department or Office	Category of posts
1	2	3
1.	Dairy Development	(i) Dairy Development Inspector Grade-I (ii) Dairy Development Inspector Grade-II (iii) Dairy Field Assistant.
2.	Co-operative Department	(i) Inspector Grade-I (ii) Inspector Grade-II
3.	Revenue Department	Patwari
4.	Irrigation Department	Junior Engineer
5.	Rural Development and Panchayats	(i) Gram Sewak or Gram Sewika (ii) Social Education and Panchayat Officer or Mukhya Sewika
6.	Health and Family Welfare	I. (a) Multipurpose Supervisor (Male) 1. Sanitary Inspectors 2. Malaria Inspectors 3. Surveillance Inspectors 4. Senior Malaria Inspectors 5. Senior Sanitary Inspectors

		(b) Multipurpose Supervisor (Female) 1. Lady Health Visitor II. (a) Multipurpose Workers (Male) 1. Surveillance Workers 2. Basic Health Workers 3. Family Planning Field Workers 4. B.C.G. Technicians 5. Vaccinators 6. Multipurpose Workers (Male)
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APPENDIX-B

1	2.	3
		7. Multipurpose Workers (T.B.) (b) Multipurpose Workers (Female) A.N.M. III. Block Extension Educator IV. Miscellaneous: 1. Inspectors Vaccination 2. Sanitary Supervisors V. Trained Dais Working in Family Planning Centres/Clinics and Swasthya Sahayaks
7.	Sainik Welfare	1. Welfare Workers
8.	Agriculture Department	1. Sub Inspector 2. Junior Engineer (S.O.)
9.	Soil Conservation	1. Sub Inspector 2. Junior Engineer (S.O.) 3. Surveyors
(Excepting those employees who are working in Farm/Nurseries/Offices in the Agriculture Department and Soil Conservation).		
10.	Welfare of Scheduled Castes and Backward Classes	Tehsil Welfare Officers
11.	Labour Commissioner, Punjab	1. Assistant Director of Factories at Batala Circle No. 1-3 Amritsar Circle No. 1-2 Jalandhar Circle No. 1-7 Ludhiana and Phagwara

		2. Labour Inspector Grade I 3. Labour Inspector Grade-II 4. Legal Assistant
12.	Public Works Department (Buildings & Roads)	Junior Engineer (posted in works or investigation Sub-division and are not posted in Division or Circle or Chief Engineer's Office. This allowance will also not be payable to those officials working in the Ranjit Sagar Dam Project. Persons getting this allowance will not be entitled to any Design Allowance or Special Pay (Non-Special Allowance).

APPENDIX-B

1	2.	3
13.	Excise and Taxation Commissioner, Punjab, Patiala	1. Taxation Inspectors and Excise Inspectors 2. Taxation Inspectors
14.	Chief Engineer, Punjab, Public Health, Patiala	Junior Engineers
15.	Chief Engineer, Planning, Irrigation Department, Chandigarh	Ziledars
16.	Forests Department	Forest Guards and Wild Life Guards

2. The rates of Permanent Travelling Allowance admissible to the entitled categories of posts or employees effective from the 21st day of May, 2010 are as given in the following table, namely: –

TABLE

Serial No.	Grade Pay Range	Employees whose duties involve touring more than 12 days in a month
1.	Upto Rupees 2,400	Rupees 480
2.	Above Rupees 2,400	Rupees 720

	but upto Rupees 3,600	
3.	Above Rupees 3,600	Rupees 960

3. (a) The Permanent Travelling Allowance being paid under rule 2.1 covers all journeys performed by an employee within a radius of twenty-five kilometres from his place of duty. An employee shall be considered on tour on a particular day, if he reaches a point eight kilometres away, from the place of duty point, whether he halts there or not. Where no such duty point is fixed, the journey shall be deemed to begin from the residence of the employee.

(b) It shall be the responsibility of each Controlling Officer, to ensure that this allowance is not turned into a source of profit. A certificate may be attached with each bill to the effect that the employee, for whom the payment of Permanent Travelling Allowance has been claimed, has not been neglecting the due performance of touring duties, for which the allowance is claimed.

APPENDIX-B

(c) Each Department shall declare the posts under its charge the duties of which involve touring on an average for more than twelve days in a month. Full allowance shall be payable only if the conditions of grant of Permanent Travelling Allowance, are fulfilled.

4. Special Provisions for Junior Engineers.—(a) The Junior Engineers (or the Assistant Engineers re-designated as such after the completion of prescribed span of service as Junior Engineer), who are working in the field, are entitled to be paid a monthly amount equal to average price of thirty litres of petrol in lieu of the Permanent Travelling Allowance admissible to them.

(b) The monthly amount referred to in clause (a) above, shall be calculated on the basis of average price of per litre of petrol prevalent at Chandigarh during the relevant month. The rates of petrol for this purpose shall be obtained from the Controller of Stores, Punjab, Chandigarh, from time to time.

Note.—When a Government employee in receipt of Permanent Travelling Allowance, uses a Government vehicle free of charge or gets a free lift in another officer's car or other conveyance, his fixed monthly travelling allowance will be reduced by –

- (a) $1/60^{\text{th}}$ or bus fare, whichever is less, for journey outward or inward per day; and
- (b) $1/30^{\text{th}}$ or bus fare, whichever is less, for both outward and inward journeys per day.

APPENDIX-C

(See rule 2.11)

POSTS CARRYING CONVEYANCE ALLOWANCE

The conveyance allowance to the Government employees specified in the Table below shall be admissible to them at the rates specified. The holder of a temporary post shall not be allowed to draw conveyance allowance unless sanctioned by the competent authority.

TABLE

Serial No.	Name of the post	Rate per month (in Rupees)	Date from which sanctioned
1	2	3	4
I. Civil Secretariat and Equivalent Offices			
1.	Deputy Secretary	800	1 st October, 2010
2.	Under Secretary	800	-do-
3.	Senior Law Officer	800	-do-
4.	Secretary to Minister	800	-do-
5.	Special Secretary to Minister	800	-do-
6.	Superintendent Grade I	800	-do-
7.	Private Secretary	800	-do-
8.	Personal Assistant	800	-do-

Note.—Conveyance Allowance at the rates shown above shall also be admissible to the similar categories of employees working in the Punjab Vidhan Sabha Secretariat, Financial Commissioner’s Secretariat, Punjab Raj Bhawan, Legal Remembrancer’s Office and Punjab Public Service Commission, Patiala.

II. Accounts Personnel of Department of Finance (T&A Wing)

1.	Joint Controller (Finance & Accounts)	800	1 st December, 2011
2.	Deputy Controller (Finance & Accounts)	800	-do-
3.	Assistant Controller (Finance & Accounts)	800	-do-
4.	Section Officer (S.A.S.)	700	-do-

Note.—The conveyance allowance at the rates mentioned above shall also be admissible to the corresponding posts of Local Fund Accounts Wing of the Department of Finance.

III. Police Personnel

1.	Inspector	600	1 st December, 2011
2.	Sub-Inspector	550	-do-

APPENDIX—C

1	2	3	4
3.	Assistant Sub-Inspector	500	-do-
4.	Head Constable	450	-do-
5.	Constable	400	-do-

IV. Other Departments

1.	Superintendent Grade I	800	1 st June, 2011
2.	Superintendent Grade II	700	-do-
3.	Senior Auditor (Non-S.A.S.)	700	-do-
4.	Personal Assistant	700	-do-
5.	Senior Assistant	600	-do-
6.	Junior Auditor/Auditor	600	-do-
7.	Senior Scale Stenographer	600	-do-
8.	Junior Assistant	500	-do-
9.	Junior Scale Stenographer	500	-do-
10.	Steno-Typist	400	-do-

11.	Clerk	400	-do-
12.	District Treasurer	600	-do-
13.	Accountant/ Accountant-cum- Cashier/ Cashier (in the scale of Senior Assistant	600	-do-
14.	Assistant Treasurer	500	-do-
15.	Clerk-cum-Cashier/ Cashier-cum-Clerk	400	-do-
16.	Clerk-cum-Storekeeper	400	1 st December, 2011
17.	Store-keeper	400	-do-
18.	Library Clerk	400	-do-
19.	Cashier (other than those in the scale of Senior Assistant)	400	-do-
20.	Record Supervisor	400	-do-
21.	Restorer	400	-do-
22.	Private Secretary (Other than those in the Secretariat and equivalent Offices)	800	-do-

APPENDIX-C

V. Group 'D' Posts

VI. Physically Handicapped Employees

Subject to the conditions specified in this behalf, the Blind and Physically Handicapped Government employees are entitled to Transport (Conveyance) Allowance for going to and coming from the place of their duty at the rate of six hundred rupees per month with effect from the 1st December, 2011. This Allowance is admissible to them in addition to the Conveyance Allowance admissible under these rules.

Notes.-(1) The conveyance allowance mentioned above is not entitled to the Government employees, who have been allotted Government vehicles.

(2) The employees entitled to Conveyance Allowance under the foregoing provisions have been exempted from keeping and maintaining their own means of conveyance.

(3) The Conveyance allowance mentioned above shall not be admissible during leave (other than casual leave), during the joining time or suspension period.

VII. Members of Punjab Civil Medical Service

The doctors belonging to Punjab Civil Medical Service, posted in Subsidiary Health Centres, are entitled to a Conveyance Allowance, at the rates given in the following table, namely:—

TABLE

Serial No.	Type of vehicle used for official work	Rate per month (in Rupees)	Date from which sanctioned
1	Car	1,800	1 st October, 2010
2	Other Vehicle	720	-do-

The claimant doctor shall be required to produce a proof that the particular vehicle for which the conveyance allowance is being claimed, is owned by him and is being actually maintained at his own expense. The claimant doctor shall also be required to certify that he remained on tour in the villages at least for ten days in a month and a record of such tours has been kept in the relevant record register.

APPENDIX-D

Omitted.

APPENDIX–E

[Referred to in Note 1 below rule 2.38]

List of Government employees not entitled to travelling allowance for journeys on tour within their sphere of duty, except for journeys by rail or steamer.

EXCISE

1. Excise peons, entitled to draw single second-class fare, when journeys performed by rail or steamer.

Exception: Excise peons attached to Excise Bureau in the Punjab.

FORESTS

2. Forest Guards and Range Assistants.

Note: Range Assistants or Forest Guards employed in the Silvicultural Research Division or on special duty such as working plan work or marking thinnings are allowed to draw travelling allowance at ordinary rates both for march and halts.

LAW AND JUSTICE

3. Process servers and bailiffs.

Exceptions: A bailiff or process server may draw travelling allowance for a journey performed by him by motor omnibus or other road vehicle either within or beyond his sphere of duty: –

- (a) between a place not connected by rail; or
- (b) between places connected by road as well as by rail when the road route is shorter or when the journey by rail, although shorter in distance would cause inordinate delay:

Provided that judge of the court issuing the process or the officer-in-charge of the Process Serving Agencies certifies that this journey was necessary in the public interest and that no other form of travelling allowance has been drawn.

POLICE

4. Police Officers and men of all grades (including those employed in the Criminal Intelligence Department) below the rank of Inspector.

Exception: (i) Sub-Inspectors and Assistant Sub-Inspectors are entitled to draw daily allowance at the ordinary rates for all journeys on duty –

- (a) of more than 16 kilometres from their headquarters if they travel by a motor conveyance.
- (b) of more than 24 kilometres from their headquarters if they travel by any other mode of conveyance:

APPENDIX–E

Provided that in both cases if the Sub-Inspector or Assistant Sub-Inspector is attached to a police station the place to which he travels is beyond the limits of the police station.

Note.—In the case of a road journey combined with a journey by railway or steamer or both and which exceeds the limits laid down in Exception (i), the travelling allowance to Sub-Inspectors and Assistant Sub-Inspectors shall not exceed the amount admissible under rule 2.44.

Exception: (ii) Head Constables and Constables may draw actual expenses for journeys by boat where this is the ordinary mode of travelling.

Exception: (iii) Policemen employed as Clerks in District or Railway Police Offices.

Exception: (iv) A Police Officer below the rank of Inspector may draw travelling allowance for a journey performed by him by motor omnibus or other road vehicle either within or beyond his sphere of duty:—

- (a) between places not connected by rail; or
- (b) between places connected by road as well as by rail when the road route is shorter; or when the journey by rail although shorter in distance, would cause inordinate delay:

Provided that the Superintendent of Police certifies on his travelling allowance bill that the journey was necessary in the public interest and that no other form of travelling allowance has been drawn.

Note.—(1) The Superintendent of Police shall in certifying that the journey was necessary in the public interest, verify that the purpose of the journey was one for which travelling allowance is ordinarily admissible under the provisions of the Travelling Allowance Rules.

Note.— (2) See also Police Rule 22.43.

Exception: (v) The staff employed on the Mobile Police Patrol when the distance travelled is more than 32 kms. from headquarters.

PUBLIC WORKS DEPARTMENT

5. Petty establishment expressly engaged for service in the field.

The term 'petty establishment' is not explicitly defined anywhere in the Financial Hand Books of the Punjab Government, but examples of the classes of establishment that come within the scope of this term are given in paragraph 1.7(IV) of the Punjab Public Works Department Code. The State Government, however,

APPENDIX—E

in case of doubt, may decide whether any particular Government employee or class of Government employees comes within the term or not.

6. Canal Mistris are entitled to draw ordinary travelling allowance when proceeding under proper authority beyond a radius of 16 kms. from their headquarters.

7. Canal Patwaris.

APPENDIX-F

Omitted

APPENDIX– G

Omitted

Appendix–H

[See rule 2.59(a)II(ii)]

The freight rates for transportation of personal effects by road, on transfer of a Government employee, as fixed by the Transport Department, are given in the following table, namely:–

TABLE

Serial No.	Distance by Road	Type of Goods	Rate per quintal per kilometre
1	For a distance upto 50 kilometres:	1. For non-bulky goods	23 paise
		2. For bulky goods	40 paise
2	For a distance beyond 50 kilometres:	1. For non-bulky goods	23 paise
		2. For bulky goods	35 paise

APPENDIX-J

PUNJAB HILL ALLOWANCE CODE

[Not printed]

APPENDIX-K

RECESS RULES

[Not printed]

APPENDIX-L

[Referred to in Note below rule 2.73]

TRAVELLING ALLOWANCE TO ATTEND EXAMINATIONS

The competent authority has permitted Government employees to draw travelling allowance under rule 2.73 for journeys to and from the place of examination in the following circumstances:-

- (1) To accept official candidates for the office of Extra Assistant Commissioner
(a) whose names are borne on the Government Register A, (b) whose

names are borne on the lists maintained by the Financial Commissioner and also to persons being already Government employees whose names are borne on the lists maintained by the Financial Commissioners and the High Court of accepted candidates for the posts of Tahsildar, Naib-Tahsildar and Sub-Judge: provided that in each case the candidate passes in at least one subject at the examination for attending which travelling allowance is claimed.

Note.–

- (This rule does not apply to candidates who are not already Government employees.)
- (2) To Government employees of the Settlement Department when attending the examination prescribed for Tehsildars and Extra Assistant Commissioners.
 - (3) To Military Officers appointed to officiate as Cantonment Magistrates, without having previously passed the preliminary examination, for subsequently appearing at the examination.
 - (4) To Kanungos for attending the examination for the purpose of obtaining a certificate of efficiency.
 - (5) To Kanungo candidates who are Patwaris or already in Government service: provided that in each case the candidate passes the examination in whole or in part, and that in no case travelling allowance be drawn more than twice.
 - (6) Assistant Medical Officers and Dispensers are not ordinarily entitled to travelling allowance for journeys to pass English Qualification Examination or to qualify for higher rate of pay but if a dispenser is required by the Civil surgeon in special circumstances to attend at headquarters for an examination for promotion to higher grade, he may be granted travelling allowance from the source from which his pay is met.
 - (7) To accepted candidates for the post of Court Inspectors for journeys to attend the Departmental Examination: provided that: –
 - (i) in each case the candidate passes in at least one subject at the examination for attending which travelling allowance is claimed ; and
 - (ii) in no case travelling allowance be drawn more than twice in respect of any one complete examination.

APPENDIX–M

Omitted

APPENDIX-N

[Referred to in rule 2.48]

Scale of camp equipment, servants, horses, motor cars, etc., prescribed in lieu of daily allowance under rule 2.48.

Sr.No.	Designation of Officer	Scale	
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1.	Chief Conservator of Forests, Punjab	<ol style="list-style-type: none"> 1. Three quintals of luggage. 2. One servant 3. One motor car 4. One horse 	For touring in plains a motor car; for touring in hills a horse.
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APPENDIX-O

(Referred to in Note below rule 2.2)

Travelling allowance to Government employees directed to perform a journey in the interests of the public service for any purpose, not specified in Rule 2.2.

I. PUBLIC WORKS DEPARTMENT

1. Engineer Officers of the P.W.D. who are members of the Institution of Engineers (India), and whose subscriptions are up to date, permitted to attend the annual meetings of its Punjab, Haryana and Himachal Pradesh Centre, Chandigarh and Ludhiana Sub-Centre: –

- (i) Actual costs of railway ticket.
- (ii) Daily allowance for halts at the place of annual meetings at ordinary rates as prescribed in rule 2.24 of these rules save that no daily allowance will be admissible for each day spent in travelling.

Travelling allowance of Executive, Assistant Executive and Assistant Engineers, Temporary Engineers, Temporary Assistant Engineers, Sub-Engineers, Superintendents and Assistant Superintendents of the Central Workshop, may be passed on the counter-signature of their Controlling Officers. As regards Superintending Engineers, the signature of the drawing officer should be accepted as final evidence of the fact that he was permitted to attend the meeting.

II. Superintending Engineers, in the Public Works Department, Irrigation Branch, who attend meetings on “Water Distribution” : –

- (i) Travelling allowance at tour rates for the journey to and from the place of meeting.
- (ii) Daily allowance for halts for the days of the meetings as for halts on tour.

The signature of the drawing officer should be accepted as final evidence of the fact that he attended the meetings.

II. HEALTH DEPARTMENT

1. (a) Officers of the Department who attend an annual conference convened by the Director of Health Services to discuss public health problems provided that the conference is held apart from any meeting of the Punjab Public Health Association.

(b) Other Medical Officers of Health who are not Government employees and who are permitted to attend a conference of the kind mentioned in clause (a) will not receive travelling Allowance from Government but Government may contribute towards their travelling allowance in the same proportion as Government contributes towards their pay.

APPENDIX–O

III. POLICE DEPARTMENT

(a) Police Officers permitted by the Inspector-General, a Deputy Inspector-General of Police or the Assistant Inspector-General, Government Railway Police, to attend Police conferences or to participate in physical training, and lower subordinates permitted by Superintendents of Police or the Assistant Inspector-General,

Government Railway Police, to participate in musketry practice held beyond their spheres of duty:—

- (i) Travelling allowance at tour rates for the journey to and from the place where the conference, musketry practice or physical training is held;
- (ii) Daily allowance for halts at place of conference, musketry practice or physical training as for halts on tour.

(b) Staff of the Finger Print Bureau, Phillaur, ordered by the Superintendent of Police in charge of the Bureau to undergo eye-test examination by the Ophthalmic Surgeon of the Guru Teg Bahadur Hospital, Amritsar: —

- (i) Travelling allowance at tour rates for the journey to and from Amritsar.
- (ii) Daily allowance for halts at Amritsar as for halts on tour.
Travelling allowance of all Police Officers may be passed on the counter-signature of their Controlling Officers.

(c) Enrolled Police Officers of the Criminal Investigation Department, Government Railway Police and district executive force, sent to Phillaur for selection for employment in the Finger Print Bureau and subsequently required to undergo an eye-test by the Ophthalmic Surgeon of the Guru Teg Bahadur Hospital, Amritsar :—

- (i) Travelling allowance at tour rates for the journey from the place of their duty to Phillaur and Phillaur to Amritsar and back to the place of their duty;
- (ii) Daily allowance for halts at Phillaur and Amritsar as for halts on tour for those officers only whose headquarters are not at Amritsar or Phillaur.

The travelling allowance of all such officers shall be passed on the counter-signature of the Controlling Officers concerned.

IV. EDUCATION DEPARTMENT

I. Principals of combined institutions and Headmasters of Government High Schools attending meetings of Headmasters' Association under and with proper sanction, will be allowed single railway fare of the class of railway accommodation to which they are entitled and actual expenses for the journey performed by road (not

APPENDIX—O

exceeding the usual mileage allowance admissible under the rules) for the journey to and from the place of meeting of the Association, but will not be allowed any daily allowance for the days of halt.

II. The Block Education Officers are allowed travelling and halting allowances for the purposes noted below: —

- (1) Departmental enquiries in their sub-divisions.
- (2) To attend Teachers' Associations in their sub-divisions.
- (3) To conduct or attend refresher courses held in their sub-divisions with previous permission of the Circle Education Officers and outside their sub-divisions with the previous permission of the Director of Public Instruction.

This rule applies to Block Education Officers for physical training also.

- (4) To supervise eradication of pohli weed or locust destruction in their sub-divisions.
- (5) To conduct and attend the District Middle/High School Tournaments and olympic and village games in their sub-divisions.

This rule applies to Block Education Officers for physical training also.

- (6) To attend meetings of the Rural Community Council when held in their sub-divisions.
- (7) To organise or attend rural melas in their sub-divisions.
- (8) To attend cinema-lorry shows in their sub-divisions.
- (9) To attend educational conference within or outside their sub-divisions.

V. CO-OPERATIVE DEPARTMENT

1. Assistant Registrars, Inspectors, Sub-Inspectors and Clerks of the Co-operative Department permitted by the Registrar, Co-operative Societies, to attend Refresher Courses held within or beyond their circle: –

- (i) Travelling allowance at tour rates for the journey to and from the place where the Refresher Course is held.
- (ii) Daily allowance for halts at such place not exceeding one hundred and eighty days as for halts on tour.

APPENDIX–O

VI. ADMINISTRATION OF JUSTICE

(1) A Subordinate Judge undertaking a journey to the private residence of a person making a declaration under section 3 of the Muslim Personal Law (Shariat) Application Act, 1937, will be allowed travelling allowance at the rates noted below: –

For a journey to and from the residence of a declarant beyond a radius of 25 kilometres from the court of the Subordinate Judge.	Actual travelling expenses by ordinary mode of travelling.
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VII. GENERAL ADMINISTRATION

Deputy Commissioners attending meetings of the Punjab Scouts and Guides Association.	Travelling allowance or daily allowance at tour rates upto one hundred and eighty days for journey to the place where the meeting is held and back to the place of posting.
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APPENDIX-P

T.A. TO PARLIAMENTARY SECRETARIES RULES

[Not printed]

APPENDIX-Q

(Omitted)

APPENDIX-R

Omitted

INDEX

**This index has been compiled solely for the purpose of assisting references.
No expression in it should be considered as in any way interpreting the rules.**

A	Rule
Absence on duty from headquarters	
A Government employee is considered to be on tour when—	2.35

Competent Authority may in case of doubt, decide what constitutes—	2.35
When—begins and ends	2.41
When mileage allowance can be drawn instead of daily allowance for—	2.43
Accommodation	
Competent authority may declare a Government employee or class of Government employees to be entitled to a higher—than prescribed under the rules	2.26
Classes of—to which Government employees are ordinarily entitled	2.24
Actual expenses	
A Government employee required to travel by special conveyance may draw—in lieu of daily or mileage allowance under certain conditions	2.34
Certificate required for the grant—of maintaining camp equipage during a halt at headquarters or within 8 kms. of headquarters	2.52(c)
Competent authority may grant—of maintaining camp, in addition to daily and mileage allowance, to an officer compelled to leave it in case of sudden emergency	2.47
Competent authority may grant—of conveying camp equipment, etc., to an officer whose jurisdiction extends over a whole State in lieu of daily allowance	2.48
Competent authority may grant—to Government employees voluntarily appearing before a medical board for being invalided	2.84
Government employees entitled to—for journey to appear before a medical board for invalid pension and for return to duty	2.84
Government employees on transfer granted—of transporting personal effects by passenger train, limited to the maximum allowance by goods train	2.59(a) (Note 1)
Government employees travelling by Government steamer may claim—of transporting employees and luggage by other vessel	2.96
Not admissible except under specific rule	2.33
When and how the—of transporting conveyance are met by Government	2.59(a)l(iv)
When—of maintaining camp equipage during a halt at or within 8 kms. of headquarters may be granted	2.52
When a Government employee may accept—granted by a court for	2.80

journey to give evidence before it	
When—paid in addition to permanent travelling allowance	2.9(2)

INDEX

	Rule
Air	
Journey by Air	2.25(c), 2.30, 2.98
Travel by air, when permissible	2.31
Government employees entitled to undertake journey by—may insure their lives against air accidents for the duration of the journey	2.32-A
C	
Camp	
Competent authority may grant actual expenses of maintaining—in addition to daily and mileage allowance to an officer compelled to leave it in case of sudden emergency	2.47
Daily allowance inadmissible for any day during tour, unless Government employee is actually in—	2.42(v)
Camp equipage	
Actual expenses of maintaining—during a halt at or within 8 kilometres of headquarters	2.52
Cost of transporting—ordinarily inadmissible	2.3
When actual expenses of conveyance be drawn	2.48
Scale of servants, horses, etc., prescribed in lieu of daily allowance under rule	2.48 Appendix- N
Certificate	
Government employee claiming cost of transport of personal effects, etc., should attach—that amount claimed does not exceed actual expenses	2.59(e)
Government employees must produce—of attendance for drawing travelling allowance for journey to give evidence	2.81 (Note 2)
Government employees on transfer claiming travelling allowance for family must attach—showing members and relationship of members of the family	2.59(d)
Nature of—necessary before Government employee can draw actual expenses of special conveyance	2.34
Nature of—necessary for drawing actual expenses of maintaining camp equipage at headquarters	2.52(c)

Nature of—necessary for drawing travelling allowance for journey to obtain medical advice	2.83
Nature of—necessary to enable Government employee to obtain mileage allowance for railway journey by higher class than that to which he is ordinarily entitled	2.24A (Note 2)
Nature of—necessary for Government employee directed to appear before a medical board for invalid pension to draw travelling allowance for the journey	2.84
Charge of Office	
Travelling Allowance of Government employee assuming or relinquishing —on transfer at a station other than the headquarters	2.60

INDEX

	Rule
Chauffer(s)	
Travelling allowance admissible to—of Government motor cars	2.103
Classification	
—of Government employees	2.15
Combination of posts	
Travelling allowance in cases of—	2.8
Consent	
Cases in which the—of the Finance Department is presumed to the exercise of powers under the Travelling Allowance Rules	Chapter 3
Controlling Officer	
Counter-signature of—required before Government employee may draw actual expenses of special conveyance	2.34
Duties and powers of—	2.109
May not ordinarily delegate duty of counter-signature	2.107
Responsibility of the—to see that permanent travelling allowance is not made a source of profit by a Government employee	2.109(d)
Signature of—necessary on travelling allowance bills	2.108
To be declared by competent authority	2.107
Convention	
Arrangement between Governments for regulating the debit of T.A. charges of officers serving under one Government, who are summoned to give evidence under the other Government	2.81 (Note 3)
Conveyance(s)	
Actual cost of transit allowed when an officer is required to travel by special—	2.34
Competent authority may prescribe the number of—to be carried at Government expenses in certain cases	2.48
Competent authority may permit to draw the actual cost of hiring a—when no travelling allowance is admissible	2.50
Cost of transporting—ordinarily inadmissible	2.3
No Government employee entitled to be provided with means of —by or at the expense of Government	2.33
Scale of—which may be carried at Government expense by Government employees on transfer	2.59(a)I(iv)
Conveyance Allowance	
Conditions of grant of—	2.11
Drawal of—during leave or joining time	2.13

Is granted on the conditions that the means of conveyance is actually kept	2.14
Government employees to whom—have been granted when drawn	2.12
Conveyance hire	
Competent authority may allow—when no other travelling allowance is admissible	2.50(a)

INDEX

	Rule
Counter-Signature	
Duty of—of travelling allowance bills may not be delegated to a subordinate	2.107
Signature or—of controlling officer necessary on a travelling allowance bill	2.108
D	
Daily Allowance(s)	
Actual expenses of carrying camp equipment on tour may be recovered in addition to	2.52
Certain Government employees whose duties require constant travelling by railway get—for absence from headquarters for not less than six consecutive hours	2.49
Competent authority may fix higher or lower rates of—for particular Government employees or class of Government employees	2.28
Competent authority may grant actual expenses to an officer whose jurisdiction extends over a whole State in lieu of	2.48
Conditions for grant of—during a halt on tour or for holidays during tour	2.42
Conditions under which Government employee in receipt of motor car or motor cycle allowance may draw daily or mileage allowance or both	2.12
Conditions under which mileage allowance for a journey by road or steamer may be drawn in addition to—by Government employees whose duties require constant travelling by railway	2.49 (iv)
Definition of—and the rule as to its drawal	2.18
Distance to be travelled before—is admissible	2.18
Drawn during absence from headquarters on duty	2.18
Drawn for journeys on tour when not in receipt of permanent travelling allowance	2.40

Drawn when on tour	2.18
During a halt on tour	2.42
Exchange of—for mileage allowance for the whole period of tour	2.43
Government employees when travelling by Government steamers are entitled to draw only the—of their grade	2.96
Government employees may claim only—for journey by free conveyance other than by railway or steamer in certain cases	2.100(a)
Government employee may draw—when he travels more than 25 kms. from his place of last halt, or may exchange it for mileage allowance	2.42(iv)
Government employee on transfer travelling by Government steamer is entitled to—in addition to free transport of himself, his family servants and their bonafide personal effects, etc.	2.59 (a) I Exception
Inadmissible for halts on journeys to obtain medical certificate or medical advice or to appear before a medical board	2.85
Inadmissible to bodies of police removed from one district to another, after a halt of ten days	2.42(vi)

INDEX

	Rule
—inadmissible for any day whether Sunday or holiday when on tour unless the Government employee is actually in camp	2.42(v)
—inadmissible during casual leave taken when on tour	2.42 (iv)
Increase of—in expensive localities	2.27
—not admissible for a continuous halt of more than one hundred eighty days	2.42(i)
Rates of—	2.24(C)
—Admissible to Government employees on official visit to State as State Guests	2.24(C) (Exception 2)
Rates of—admissible to Government employees when halting outside the territories of the Punjab Government and other expensive localities	2.27
Rate of—for a Government employee who spends part of a day in one locality and part in a place for which different rate of—prevails	2.27 (Note 3-a)
Rules regarding the drawal of mileage allowance in exchange of or in addition to—	2.43 to 2.44
When actual expenses of maintaining camps may be granted in addition to—	2.47
Darbar	
Travelling allowance of an Indian Military Commissioned Officer invited to attend a—or Levee	2.106(b)
Defence	
Travelling allowance to a Government employee required to undertake—at public cost in respect of acts done by him in the discharge of his official duty for journeys to attend court	2.82
Delegation	
List of—made under Travelling Allowance Rules	Chapter 3
E	
Evidence	
Cases in which travelling allowance may not be granted to a Government employee summoned to give—	2.81(2)
Conditions under which travelling allowance may be granted to a Government employee summoned to give—	2.81
Travelling allowance admissible to a Government employee of vacation department summoned to give—during vacation	2.81 (Note 1)
Examination(s)	

Competent authority may grant travelling allowance to attend—to Government employee who while travelling to or during the—is on leave	2.74
Competent authority may disallow travelling allowance for attending an—in certain cases	2.73(2)
Competent authority may make special concession regarding travelling allowance to Government employee attending—	2.73(d)
Daily allowance inadmissible for halts on journeys to attend—	2.74
Travelling allowance to attend an—	2.73

INDEX

	Rule
Travelling allowance to attend an—may not be drawn more than twice for the same—	2.73 (Proviso)
Exchange	
—of daily allowance with mileage allowance	2.43
Expensive Localities	
Higher rates of travelling allowance in specified—	2.27
F	
Family	
Grant of higher travelling allowance to a Government employee on the ground that members of his—accompanied him on transfer	2.59(d)
—of Government employee whose duties involve constant travelling entitled to free pass or fares on transfer within limits of the railway to which attached	2.62
Travelling allowance admissible to the—of Government employee who, in consequence of his transfer or deputation on a course of training, is obliged to send his—to a station other than his new headquarters or place of training	2.61
Travelling allowance for the transport of—of Government employees on transfer	2.59(a)I(i)
Travelling allowance for the transport of—ordinarily not admissible	2.3
Travelling allowance to the—of Government employee transferred following him within six months of the date of transfer, or preceding him by not more than a month	2.59(b)(iii)
Travelling allowance for journey by the—of a Government employee on his death	2.79
Fare	
Should be held to mean—exclusive of diet, if for sea or river journey	2.24(b) (Note1)

Fees	
Grade of Government employee remunerated by—for purposes of travelling allowance	2.17
Ferry and other tolls	
Payment of—when travelling within 8 kms. of the headquarters	2.51
Finance Department	
Cases in which the consent of the—is presumed to the exercise of powers	Ch.3
First Appointment	
Rate of travelling allowance of Government employee joining—	2.56
Travelling allowance for joining—ordinarily inadmissible	2.53
Free accommodation	
Journeys by railway's—Reduction in mileage allowance when a Government employee is entitled to or is allowed free transit by railway on a free pass or otherwise	2.92
When a Government employee permitted to travel by railway in a higher class on payment of a lower fare	2.94

INDEX

	Rule
Journey by sea or river steamer	
Drawal of T.A. when a Government employee travels by sea or river, otherwise than on payment of passage money, the cost of which is paid by Government	2.96
When a Government employee is allowed free transit by sea or river steamer otherwise than in a Government vessel	2.97
Journey by air	
Drawal of T.A. when a Government employee is allowed free transit by air in a machine owned or chartered by Government	2.98. 2.99
Journey by boat, road, etc.	
Drawal of T.A. when a Government employee uses a means of locomotion provided at the expense of Government and does not pay the cost of its use or propulsion	2.100
When a government employee uses a staff car	2.101
When Government employee travel in Governor's special train	2.104
When a Government employee who is supplied with a means of conveyance without charge returns to his headquarters on the same day	2.105
Free passes by Railways	
Family of Government employee whose duties involve constant	2.62

travelling by railway entitled to—on transfer within the limits of the railway to which he is attached	
Travelling allowance of a Government employee travelling with—on an unopened line of railway or by railway trolley	2.95
Free Transport	
Government employee on transfer is entitled to—of himself and each member of his family, when travelling by steamer	2.59(a)I
Rates of mileage allowance for—of personal effects by road on transfer of a Government employee.	Appendix H
G	
Grade(s)	
— of Government employees for T.A.	2.15
—of Government employee in transit from one post to another	2.16
—of Judicial Officers	2.15 Exception
—of Part-time Government employees	2.17
H	
Halt	
After a continuous—of one hundred eighty days, the halting place will be the temporary headquarters of the Government employee	2.42(i)
Calculation of duration of—	2.42(iii)
Daily allowance not admissible for a continuous—for more than one hundred eighty days at one place	2.42
Daily allowance inadmissible for—on journeys to obtain medical advice, medical certificate or to appear before a medical board	2.85

INDEX

	Rule
Government employees may draw daily allowance when he travels more than 25 kms. from his place of last—or may exchange it for mileage allowance	2.42(iii)
Grant of actual expenses of maintaining camp equipage during a—at or within 8 kms. of headquarters	2.52
No allowance admissible for—on journeys by persons joining first appointment or pensioners or Government employees re-employed	2.54
Travelling allowance for journey from a halting place	2.42(vi)
Daily allowance during enforced—occurring ex-route on tour/journey/ temporary transfer/training	2.42(viii)
When—said to be continuous	2.42(ii)
Head(s) of Department(s)	

Definition of the term	1.1(b)
Headquarters	
Absence on duty from—necessary to constitute a tour	2.35
After a continuous halt of one hundred eighty days the halting place will be regarded as Government employee's temporary—	2.42(ii)
Beginning and end of period of absence from—	2.41
Conveyance or horse allowance not forfeited during absence from—	2.12
Permanent travelling allowance is drawn whether Government employee is absent from his—or not	2.5
When actual expenses of maintaining camp equipage may be granted during a halt at or within 8 kms. of—	2.52
Hill Station(s)	
Journey to a—is not treated as journey on tour	2.35
Journey to—under the order of superior authority	2.70
Holiday(s)	
Daily allowance during—on tour	2.42(v)
Daily allowance inadmissible for any day, whether Sunday or—unless Government employee is actually in camp	2.42(v)
I	
Insurance	
—for travel by Air	2.32 A
Invalid Pension	
Travelling Allowance of Government employee directed to appear before medical board for—	2.84
When competent authority may allow actual travelling expenses to Government employee appearing before a medical board for	2.84
J	
Joining Time	
Conveyance allowance may be drawn during—under certain conditions	2.13
Permanent travelling allowance inadmissible during—	2.7
INDEX	
	Rule
Travelling allowance during—granted under rule 9.1 (d) of Punjab Civil Services Rules, Volume I, Part I, for reaching or leaving places difficult of access	2.78
Journeys	
Commencement and end of—	2.21

Frequency and duration of—may be regulated by competent authority	2.37
General rules of travelling allowance for—on tour	2.35 to 2.39
Point at which—commences or ends fixed by competent authority	2.21
Travelling allowance for—within 8 kms. of headquarters	2.50
Travelling allowance for—to join first post	2.53 to 2.54
Travelling allowance for—to attend examination	2.73 to 2.74
Travelling allowance for—on a course of training	2.88
Travelling allowance for—to obtain medical advice	2.83 to 2.85
Travelling allowance for—in connection with duty for local funds	2.90
Travelling allowance for—on transfer	2.57 to 2.68
Travelling allowance for—to a hill station	2.70
Travelling allowance for—in attendance on incapacitated Government employee	2.86 to 2.87
Travelling allowance for—to give evidence	2.81 to 2.82
Travelling allowance for—performed to the permanent place of residence to the family of Government employee on his death	2.79
Travelling allowance when proceeding on or returning from leave	2.75, 2.77
Travelling allowance not admissible for—to procure health certificate required on first appointment	2.53 Note
Journey by rail	
Classes of accommodation for which Government employees are considered to be eligible for the purpose of calculating mileage allowance	2.24
Exchange of daily allowance for mileage allowance in case of—	2.44
High rate of mileage allowance in through booking in certain cases	2.24A (Note 3)
Mileage allowance for a—when the class to which the Government employee is entitled is not provided in the train	2.24A (Note 2)
Travelling allowance of Government employee on transfer for—	2.59
Travelling allowance on tour of certain Government employees whose duties involve constant travelling by railway for—	2.49
Journey by road	
Includes journey by canal and in certain cases journey by river and sea	2.24-D (Note 2)
List of Government employees not entitled to travelling allowance for—on tour within their sphere of duty	Appendix E
Rules regarding mileage allowance for—	2.24D
Short—within radius of 25 kms. should not be added to other	2.44 (Note)

journeys	
Travelling allowance of Government employee on transfer for—	2.59

INDEX

	Rule
Travelling allowance when a—is combined with a journey by rail or steamer or both	2.44
Journey by sea or river	
Exchange of mileage allowance for daily allowance	2.44
Mileage allowance for—	2.44
Travelling allowance of Government employee provided with free conveyance in full or in part for—	2.96 to 2.97
Travelling allowance of Government employee on transfer for—	2.59
Travelling allowance when a—is combined with journey by road or rail or both	2.44
L	
Leave	
Daily allowance not admissible during causal—taken when on tour	2.42 (iv)
Drawal of permanent travelling allowance during—	2.7
Drawal of conveyance allowance during—	2.13
Grant of travelling allowance to attend examination to Government employee who while travelling or during the examination is on—	2.74
Rate of travelling allowance which a competent authority may grant to Government employee for journey made during or at the beginning or termination of—	2.75
Travelling allowance of Government employee summoned to give evidence while on—	2.81
Travelling allowance to Government employee compulsorily recalled from—	2.77
Travelling allowance of Government employee taking—exceeding 120 days while in transit	2.65
Travelling allowance of Government employee posted to a new station on return from long—	2.66
Travelling allowance ordinarily inadmissible to Government employee for journey made during or while proceeding on or returning from—	2.75
Travelling allowance of Government employee taking—not exceeding 120 days while in transit from his old post to the new post	2.64
Leave (Casual)	

Government employee who takes—when on tour is not entitled to draw daily allowance during such leave	2.42(iv)
Local Fund(s)	
Travelling allowance of Government employee for journeys performed in connection with a—is governed by rules of the—	2.90(a)
Travelling allowance of Government employee appointed ex-officio member of a—	2.90(b)
Luggage	
Cost of transporting personal—ordinarily inadmissible	2.3
Government employee travelling by Government steamer entitled to actual expenses of transporting—by other vessel	2.96

INDEX

	Rule
M	
Matriculation	
Daily allowance inadmissible to teachers of Government schools, accompanying candidates to the—examination centres	2.42(vii)
Medical Advice	
Rule as to when travelling allowance may be claimed for journey to obtain—	2.83
Rates of travelling allowance for journey to obtain—	2.85
Medical Board or Committee	
Rates of travelling allowance for journey to appear before a—	2.86
Travelling allowance ordinarily inadmissible for journey to appear before a—except in certain cases	2.84
Travelling allowance to a Government employee appearing before a—for invalid pension	2.84
Medical Certificate(s)	
Rates of travelling allowance for journey to obtain a—	2.84
Travelling allowance for journey to obtain—in support of application for leave	2.83
Mileage Allowance (General)	
Competent authority may increase rates of—in expensive localities	2.27
Competent authority may permit—to be calculated by other than shortest or cheapest route	2.20
Competent authority may declare any particular Government employee or class of employees to be entitled to accommodation of a higher class	2.26
Condition under which—may be drawn in addition or in exchange of	2.43 to

daily allowance	2.45
Conditions under which Government employee in receipt of motor car or motor-cycle allowance may draw—for a journey by such a conveyance	2.12
Definition of—and principles of calculation of—	2.19
Different rates of—for journey by road, railway, steamer or air	2.24
Exchange of daily allowance for—for the whole period of tour	2.43
For journey by railway when the class to which the Government employee is eligible is not provided in the train	2.24 (Note 2)
Government employee may draw daily allowance when he travels more than 25 kms from his place of last halt or may exchange it for—	2.42(iii)
In exchange of permanent travelling allowance	2.10
Point of commencement and end of journey for calculating—	2.21
Rates of—for Government employees when travelling by road within the territories administered by another Government	2.27
Shortest route defined	2.19(b)
When actual expenses of maintaining camp may be granted in addition to—	2.47
When—should be calculated by route actually used	2.19(c)

INDEX

	Rule
Certain Government employees whose duties require constant travelling by railway cannot exchange daily allowance or other allowance for—	2.49(iii)
Classes of accommodation for which Government employees are considered to be eligible for the purpose of calculating—	2.24-A
Exchange of—for daily allowance	2.44
Government employees who are not entitled to travelling allowance for journeys on tour within their sphere of duty may draw—	2.38
Higher—allowed in through booking in certain cases	2.24-A (Note 3)
Rates of—	2.25
When the class to which the Government employee is entitled is not provided in the train	2.24-A Note(2)
Mileage allowance for road journeys	
Competent authority may grant different rates of—in certain cases	2.29
Conditions under which—may be drawn in addition to daily	2.49

allowance by Government employees whose duties require constant travelling by railway	
—for the transport of personal effects of Government employees on transfer	Appendix H
May be drawn in addition to daily allowance under certain conditions	2.44
Rates of—for the various kinds of conveyance	2.24-D
Treatment of fractions of a Km. in calculating—	2.24-D (Note 3)
Mileage allowance for sea or river journeys	
Classes of accommodation to which Government employees are considered to be entitled	2.24-B
Exchange of daily allowance for—	2.44
Government employees who are not entitled to travelling allowance for journey on tour within their sphere of duty may draw—	2.38
Rates of—	2.25
Mileage allowance for a journey by air	
Rates of—	2.25-C
Travel by air when permissible	2.31
Military Employ	
Travelling allowance of a Government employee in—transferred to civil employ	2.58
Travelling allowance of Government employees in—ordinarily governed by military regulations	2.106(b)
Travelling allowance of a military officer in civil employ to attend examination for promotion in military rank	2.73(a)
Motor car	
Chauffeur of—may be transported at Government expenses	2.59(a)I(iv) (Note I)

INDEX

	Rule
Conditions under which a Government employee granted conveyance allowance for the upkeep of—may draw mileage or daily allowance for journeys made by—in exchange of conveyance allowance	2.12
Conveyance allowance granted for upkeep of—ordinarily precludes drawing of mileage or daily allowances for journey made by—	2.12
Cost of transporting—between places connected by railway by	2.59(a)I(iv)

Government employee on transfer how met	(Note 2)
When actual cost of transporting—may be drawn	2.48
When—of a Government employee on transfer may be carried at Government expense	2.59
Motor cycle	
Includes a side-car for purposes of rule	2.59(b)(ii)
P	
Part-time Government employees	
Classification of—for purposes of travelling allowance	2.17
Pensioner(s)	
Travelling allowance may be granted to a—on re-appointment to Government service	2.54
Permanent Travelling Allowance(s)	
A kind of travelling allowance	2.1
Conditions of grant of—when admissible	2.5, 2.7
Amount of—admissible to Government employee holding two or more posts to each of which a—is attached	2.8
Travelling allowance, in addition to or in exchange for a—	2.9
Conditions under which mileage allowance may be drawn in addition to—	2.10
—covers cost of all journeys within the sphere of duty of Government employee	2.5
Duties of controlling officer in regard to—	2.6
Extent up to which it may be drawn during leave	2.7
Government employees who may draw railway fare in addition to—	2.9(1)
List of Government employees who are in receipt of—of different amounts	Appendix B
May be exchanged for mileage allowance for journey on tour	2.36
May be reduced when Government employee is neglecting the due performance of duties for which he receives the allowance	2.6
May not be drawn in addition to other travelling allowance except in certain cases	2.9
Signature of controlling officers unnecessary on bills	2.108
When a Government employee can draw actual expenses of a journey in addition to or in exchange for—	2.9(2)
When admissible to Ziladars, in P.W.D. I.B., deputed to undergo a course of training	2.7 (Note 1)
When admissible to Excise and Taxation Inspectors deputed to undergo a course of training	2.7 (Note 2)

INDEX

	Rule
Personal effects	
Explanation of term	2.59(b)(i)
Government employee on transfer may be granted the transport charges of —by goods train, steamer or other craft	2.59 (a) I (iii)
Rates of mileage allowance for transport by road of—of Government employee on transfer	Appendix H
Weight of—that can be carried at Government expense by rail or steamer by a Government employee on transfer	2.59 (a)I(iii)
When a Government employee on transfer carried—by passenger train he may draw actual expenses limited to his maximum allowances by goods train	2.59 (a)I(iii)
When Government employee on transfer carried his—by road	2.59 (a) II(ii)
Police	
Sphere of duty of Government employees in the—Department removed from one district to another for temporary duty after a halt of ten days	2.42(vi)
Promotion	
Revision of travelling allowance due to—	2.4
Public conveyance	
Government employees travelling on duty within 8 kms. of headquarters entitled to recover actual cost of—	2.50
When a Government employee in receipt of permanent travelling allowance and travelling by—is entitled to extra allowance based on his actual expenses—	2.9(2)
Public Prosecutors	
Classification of—for purposes of travelling allowance	2.17
R	
Railway	
Rules regarding mileage allowance for journeys by—	2.23, 2.24
Travelling allowance of certain Government employees whose duties require constant travelling by—on tour	2.49
Travelling allowance of Government employees on transfer for journey by—	2.59
Travelling allowance for journey on tour by—	2.25
Travelling allowance of Government employees whose duties require constant travelling by—for journey on transfer	2.62
Railway Fare	

Payment of—when travelling on duty within 8 kms. of headquarters	2.50
Railway Police	
Travelling allowance on tour of officers and men of the—	2.49
Travelling allowance on transfer of officers and men of the—	2.62
Recall from leave	
Travelling allowance admissible to Government employees in case of compulsory—	2.77

INDEX

	Rule
Re-employment	
Travelling allowance on—in Government service	2.54
Revision	
—of travelling allowance due to promotion or reversion	2.4
Retirement	
T.A. on—	2.80
Route(s)	
Competent authority may permit mileage allowance to be calculated on—other than the shortest or cheapest	2.20
Mileage allowance when two or more—are equally short	2.19
Shortest—defined for purpose of mileage allowance	2.19
Shortest road—	2.19 (Note2)
When mileage allowance should be calculated by—actually used	2.19(c)
S	
Sphere of Duty	
Of bodies of police removed from one district to another for temporary duty after a halt of ten days	2.42(vi)
Allowance in addition to permanent travelling allowance when—extends over more than one district	2.9(2)
Certain Government employees are not entitled to travelling allowance on tour on journeys within their—but may draw it along with other travelling allowance if in continuation of journey outside	2.38
List of Government employees who are not entitled to travelling allowance for journey by road on tour within their—	Appendix E
Permanent travelling allowance intended to cover cost of journeys within—	2.9
When actual expenses may be granted in lieu of daily allowance to Government employee whose—extends over the whole State	2.49

When a Government employee in receipt of permanent travelling allowance travels beyond his—may draw mileage allowance for entire journey	2.10
Student(s)	
Travelling allowance admissible to a—not already in Government service selected to undergo a course of training	2.88
Sunday(s)	
Daily allowance inadmissible for—during tour unless Government employee is actually in camp	2.42(v)
Syce(s)	
When the actual cost of transporting—may be drawn	2.59 (a) I(iv) (Note 1)
T	
Tents	
Cases in which half the cost of carriage of—will be borne by the Government	2.39(b)

INDEX

	Rule
Cases in which the full cost of carriage of—will be borne by the Government employee carrying—	2.39(c)
Competent authority may prescribe scale of—for official or personal use	2.39(a)
Cost of transporting—ordinarily inadmissible	2.3
Government employees in whose case the cost of carriage of—will be wholly met by Government	2.39 (Exception)
Tolls	
Payment of ferry and other—to an officer travelling on duty within 8 kms. of headquarters	2.51
Tour	
Beginning and end of journey on—	2.41
Certain Government employees not entitled to travelling allowance for journeys on—within their own sphere of duty	2.38
Competent authority may decide what constitutes absence on duty of Government employee on—	2.35
Competent authority may impose restrictions on the frequency and duration of—	2.37
Daily allowance drawn when on—	2.18
Daily allowance inadmissible during casual leave taken on—	2.42(iv)
Daily allowance inadmissible for journeys within 8 kms. of	2.18

headquarters	
Daily allowance may be drawn during a halt on—or on a holiday during—	2.42
Definition of—	2.35
Exchange of daily allowance for mileage allowance for the whole period of—	2.43
General principles on which travelling allowance is drawn for journey on—	2.40
Government employees who are not entitled to travelling allowance for journeys on—within their sphere of duty, may draw mileage allowance for journeys by rail or steamer	2.38
Journey to hill stations not treated as journey on—	2.35
List of Government employees not entitled to travelling allowance for journey on—within their sphere of duty, except for journey by rail or steamer	Appendix E
Travelling allowance of Government employee on—whose jurisdiction extends over the whole State	2.48
Transfer(s)	
At one's own request or for misconduct is not for public convenience: travelling allowance is not admissible	2.57
General condition regarding the drawal of travelling allowance on—	2.57
Grant of travelling allowance to a Government employee appointed as a result of competitive examination	2.57 (Note 1)
Grant of travelling allowance to a Government employee for a journey on— from military to civil employ	2.58
Grade of a Government employee on—for the purpose of calculating travelling allowance	2.16

INDEX

	Rule
Travelling allowance for journeys on—	2.57 to 2.68
Travelling allowance admissible to the family of a Government employee on—who is obliged to send his family to a station other than his new headquarters	2.61
Travelling allowance of Government employee whose posting is changed in transit	2.63
Travelling allowance on—of Government employee whose duties involve constant travelling by railway	2.62
Travelling allowance of Government employee on—who is permitted to hand over charge or take over charge at a place other	2.60

than the headquarters	
Travelling allowance of a Government employee transferred on return from leave not exceeding 120 days	2.65
Transit	
Grade of a Government employee in—	2.16
Travelling allowance of Government employee appointed to a new post while in—	2.63
Travelling allowance of Government employee taking leave not exceeding 120 days while in—	2.64
Travelling allowance of Government employee taking leave not exceeding 120 days	2.65
Travelling Allowance(s)	
Admissible to Government employees for journeys in connection with examination	Appendix L
Calculated with reference to the purpose of journey	2.2
Concessions to officers whose jurisdiction extends over the whole State	2.48
Different kinds of—	2.1
Gradation of Government employees for purpose of calculating—	2.15
For journey to obtain medical advice	2.83
For journey to hill station	2.70
For journey to obtain medical certificate in support of application for leave	2.83
For journey when proceeding on or returning from leave	2.75 to 2.78
Form of—for journeys on tour	2.36
For journey in connection with a course of training	2.88
For journey in connection with duty for Local Funds	2.90
For journey on retirement	2.80
For journeys on transfer	2.57 to 2.68
For journey to give evidence	2.81 to 2.82
For journey to attend Annual Congress of Public Works Department Officers or Public Health Conference	Appendix O
For journey to attend an examination—may not be drawn more than twice for any one examination	2.73 (Proviso 1)
For journeys by road, rail or steamer, and mileage allowance	2.24
INDEX	
Rule	
For journeys and halts within 8 kms. of headquarter	2.50 to 2.52

For journey in attendance on an incapacitated Government employee	2.86 to 2.87
For journey in the interest of public service for any purpose not specified in rules	2.2
General rules regulating—for different kinds of journeys	2.19
Government employees transferred on return from leave exceeding 120 days	2.66
Government employee compulsorily recalled from leave	2.77
Government employee required to undertake defence at public cost in criminal or civil cases brought against him in respect of acts done in the discharge of his official duty	2.82
Grades to which Government employees in transit from one post to another belong	2.16
Inadmissible for journey to obtain a medical certificate, on first appointment	2.53
Kinds of—	2.1
Not admissible for journey to procure health certificate required on first appointment	2.53 (Note)
Not ordinarily admissible for the transport of family servants, luggage, tents and conveyances	2.3
Of an officer compelled to leave his camp in case of emergency	2.47
Of certain Government employees appointed in Europe for journey from the port of embarkation	2.55
Of a Government employee summoned to give evidence while on leave	2.81
Of Government employee taking leave exceeding 120 days while in transit from one post to another	2.66
Of Government employee taking leave not exceeding 120 days before joining a new post	2.64
Of Government employee whose appointment is changed while in transit	2.63
Of Government employee compelled to retire on invalid pension for journey to appear before a medical board	2.84
On re-appointment to Government service	2.54
During joining time granted under rule 9.1(d) of Punjab Civil Services Rules, Vol. I, Part I, for reaching or leaving places difficult of access	2.78 (Note)
Revision of—due to promotion or reversion	2.4
When actual expenses of maintaining a camp may be drawn in	2.47

addition to other—	
Right to claim travelling allowance is forfeited if—bill is not presented within one year	2.110
Travelling Allowance Bill(s)	
Duty of controlling officer when signing or counter-signing a—	2.109
Revision of the—of a Government employee who is promoted or reverted with retrospective effect	2.4
Signature of controlling officer on a permanent—unnecessary	2.108

INDEX

	Rule
U	
Unopened line of Railway	
Travelling allowance of Government employee travelling with a free pass on an—	2.95
V	
Vacation(s)	
Travelling allowance of a Government employee undergoing a course of training in a school or college on the occasion of holidays and—	2.88
Travelling allowance admissible to a Government employee recalled to headquarters during—	2.77
W	
Witness(es)	
Travelling allowance of a Government employee summoned as—	2.81 & 2.82

**GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE**

THE PUNJAB CIVIL SERVICES RULES

Volume III



TRAVELLING ALLOWANCE RULES

Fifth Edition

(As amended up to 31st January, 2016)

**Issued by the authority of Government of Punjab, Department of Finance
CHANDIGARH**

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PREFACE TO THE FIFTH EDITION

The fifth edition of the Punjab Civil Services Rules, Volume III incorporates all amendments made up to the 31st January, 2016.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

Dated Chandigarh,
The 18th February, 2016.

D. P. REDDY,
Additional Chief Secretary,
Government of Punjab,
Department of Finance.

PREFACE TO THE FOURTH EDITION

The fourth edition of the Punjab Civil Services Rules, Volume III incorporates all amendments made up to the 31st March 1984.

2. Suggestions for making corrections and improvements may kindly be forwarded to the Department of Finance.

Dated Chandigarh
The 2nd May, 1984.

G. BALAKRISHNAN,
Secretary to Government of Punjab,
Department of Finance.

PREFACE TO THE THIRD EDITION

This is an up-to-date compilation of the Punjab Civil Services Rules Volume III. All the corrections and amendments made to the various Rules upto 1st October, 1976 have been incorporated in it. The material, which had become obsolete with the passage of time, has been omitted, rules have been rationalised and consequential changes, where required, due to (a) Re-organisation of Punjab, (b) upon the re-designation of some posts, (c) revision of pay-scales and (d) reclassification of railway accommodation as a result of the abolition of III Class railway accommodation, have been suitably incorporated.

2. Suggestions for making this edition more useful, for corrections of errors and rectifying of omissions, if any, may be sent to the Finance Department.

S.P. BAGLA
Commissioner for Finance and
Secretary to Government, Punjab
Finance Department.

PREFACE TO THE SECOND EDITION

This brings the compilation up-to-date. It incorporates correction slips Nos. 1 to 58 and Amendments 1-12 of 1965, issued to the First Edition (Second Reprint) and is printed to meet further demand for copies of these Rules.

2. It is requested than any errors or omissions found in this Volume may kindly be brought to the notice of Heads of Departments, who will please submit their proposals to the Finance Department through Administrative Department concerned.

K.S. NARANG
Secretary to Government, Punjab,
Finance Department.

TABLE OF CONTENTS

Chapter	Contents	Rules	Pages
1	Definitions	1.1	1
2	<u>Travelling Allowance Rules</u>	2.1	2
	Section I	General	
		General Rules	2.1
	Section II	Permanent travelling allowance	2.5
	Section III	Conveyance allowances	2.11
	Section IV	Grades of Government employees for Travelling Allowance	2.15
	Section V	Daily and mileage allowances	
		(i) General	2.18
		(ii) Rates of Daily and mileage allowances	2.24
		(iii) Higher rates for expensive localities	2.27
		(iv) Mileage for journey by air	2.30
	Section VI	Actual expenses	2.33
	Section VII	Journeys on tour	
		(i) General Rules	2.35
		(ii) Daily allowance on tour	2.40
		(iii) Mileage allowance and actual expense in place of, or in addition to daily allowance on tour.	2.43
		(iv) Travelling allowance admissible for journeys and halts within 8 km. of headquarters	2.50
	Section VIII	Journeys to join a first appointment	2.53
	Section IX	Journeys on transfer	2.57
	Section X	Journeys to a hill station	2.70
	Section XI	Journey to a station other than a hill station	2.72
	Section XII	Journey to attend an examination	2.73

(v)

Chapter	Contents	Rules	Pages
	Section XIII	Journey when proceeding on or returning from leave or while under suspension	2.75 44
	Section XIV	Journey by the Family of a Government employee on his death	2.79 45
	Section XV	Journey on retirement	2.80 49
	Section XVI	Journey to give evidence or to attend a court of law as Assessor or Juror	2.81 53
	Section XVII	Journey on a course of training	2.88 59
	Section XVIII	Journey in connection with duty for Local Funds	2.90 61
	Section XIX	Travelling Allowance admissible when means of transport are supplied without cost to the Government employee travelling	
		(i) Journeys by railway	2.91 61
		(ii) Journeys by sea or river steamer	2.96 63
		(iii) Journeys by air	2.98 64
		(iv) Other journeys by other means	2.100 64
	Section XX	Government employees in military employ	2.106 67
	Section XXI	Control over travelling allowance bills	2.107 68
3	Authorities which exercise the powers of a competent authority under the various Travelling Allowance Rules.		72
APPENDICES			
A	Rules governing travelling allowance of Ministers, Speaker and the Deputy Speaker of the Punjab Vidhan Sabha etc.		Not printed
B	Posts carrying permanent travelling allowance.		83
C	Posts carrying conveyance allowance.		87
D	List of points specially fixed at which journey is held to begin or end.		Omitted
E	List of Government employees not entitled to travelling allowance for journeys on tour within their sphere of duty, except for journeys by rail or steamer.		91

(vi)

APPENDICES		Pages
F	List of Government employees and establishments exempted from operation of rule 2.42 on the understanding that they maintain camp equipage.	Omitted
G	List of posts in which the possession of a conveyance or horse is advantageous for the efficiency of the Government employees holding them.	Omitted
H	Rates of free transport by road of personal effects of a Government employee on transfer.	96
J	Omitted.	
K	Omitted.	
L	Travelling allowance to attend examination.	99
M	Travelling allowance to Government employees or students not already in Government service selected to undergo a course of training.	Omitted
N	Scale of camp equipment, servants, horses, motorcars, etc., prescribed in lieu of daily allowance under rule 2.48.	101
O	Travelling allowance to Government employees directed to perform a journey in the interest of public service for any purpose not specified in rule 2.2.	102
P	Travelling allowance to Parliamentary Secretaries.	Not Printed
Q	High Court Judges Travelling Allowance Rules.	Omitted
R	Government of India Rates of Daily Allowance of Central Govt. Employees.	Omitted

(vii)